

**CITY OF HASTINGS  
CITY COUNCIL AGENDA**

**Monday, April 17, 2023**

**7:00 p.m.**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. DETERMINATION OF QUORUM**

**Presentation, Dakota County Assessor's Office**

**V. APPROVAL OF MINUTES**

Approve Minutes of the City Council workshop and regular meeting on April 3, 2023.

**VI. COMMENTS FROM THE AUDIENCE**

*Comments from the audience may include remarks about items listed on the Consent Agenda.*

**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.*

- 1. Pay Bills as Audited
- 2. Resolution: Accept Donation from SC Toys to the Parks and Recreation Department
- 3. Resolution: Accept Donation from Hastings Family Service to the Parks and Recreation Department
- 4. Resolution: Approve Outdoor Music – Tent Event with Liquor License Amendment for Las Margaritas
- 5. Special Event Designation: Animal Ark 3K with Temporary Liquor License
- 6. 1<sup>st</sup> Reading: City Code Amendments: Chapters 110.17 & 34.03, Lawful Gambling & Fees

**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. Public Hearing: New Parklet Application - Quarry Taphouse
- 2. City Code Amendments – Escrows and Fees
  - a. Public Hearing\2<sup>nd</sup> Reading\Adoption: City Code Amendment – Chapter 34.03
  - b. Public Hearing\2<sup>nd</sup> Reading\Adoption: City Code Amendment – Chapter 154
  - c. 2<sup>nd</sup> Reading\Adoption: City Code Amendment – Chapter 155
- 3. Resolution: Receiving Bids and Awarding Contract for Project 2023-1, 2023 Neighborhood Infrastructure Improvements
- 4. Resolution: Receiving Bids and Awarding Contract for the 2023 Mill & Overlay Program

**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**

1. 2<sup>nd</sup> Reading\Adopt Ordinance: City Code Amendment – Chapter 155 – Solar Energy Systems
- 

**D. Public Safety**

**E. Administration**

1. Community Investment Fund

**XI. UNFINISHED BUSINESS**

**XII. NEW BUSINESS**

**XIII. REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS**

**XIV. ADJOURNMENT**

**Next Regular City Council Meeting: Monday, May 1, 2023 7:00 p.m.**



## City of Hastings Parks & Recreation

920 W 10<sup>th</sup> Street ▪ Hastings, MN 55033 ▪ Ph: 651-480-6175 ▪ [www.hastingsmn.gov](http://www.hastingsmn.gov)

### City Council Workshop Agenda

Monday, April 3, 2023 at 5:30pm

Hastings City Hall – Volunteer Room

Call to order: 5:38pm

Councilmembers present: Mayor Fasbender, Folch, Pemble, Leifeld, Lund, Fox.

Councilmembers absent: Haus

City Staff Present: City Administrator Wietecha, Parks Director Jenkins, Program Specialist Marschall Bigler

- 5 Year Park & Recreation Plan
  - Introduction and quick review of 5 Year Park Plan
  - Review of P&R Committee meeting and discussion from 3/27/23
  - Determine priorities and next steps

Council discussed:

- the need for comprehensive trail signage and proper planning to implement,
- exploring the expansion and renovation of Vets Athletic Complex, and how working towards this goal will significantly change the current 5-year plan
- vision planning for the Civic Arena, to ensure the facility is ready to serve the community for the next 30-50 years and includes updates, creature comforts, etc.
- West Rink roof repairs, current roof is leaking, needs to be replaced... now or soon.
- refrigeration plant replacement, needs to happen even without state bonding funds, some items need to be ordered a year in advance.
- neighborhood park planning, especially if athletic facilities are moved, and keeping tabs on how neighborhoods are changing to determine recreational needs... not all neighborhood parks need a playground.
- positive economic impact from athletic facilities

Staff will solicit quotes to complete a trail signage plan, athletic complex plan, and Arena visioning plan and bring those to council for consideration. Staff will also propose a plan for the west rink roof and refrigeration plant.

- Finance Options: To support the 5 Year Plan and priorities
  - Fees in Lieu of Parkland – appraiser \$6,500 and 5-6 weeks
  - Local Option Sales Tax – 0.50% LOST = \$720k annually
  - Bonding
  - Levy

Council discussed:

- Updating parkland dedication fee in lieu of land and parkland dedication calculation,
- Local Option Sales Tax potential and bonding potential,
- Levy increase to support specific projects,
- Potential fundraising and partnerships/sponsorships,

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#### Civic Arena

2801 Red Wing Blvd.  
Hastings, MN 55033  
Ph: 651-480-6195

#### Aquatic Center

901 Maple Street  
Hastings, MN 55033  
Ph: 651-480-2385

Staff will hire an appraiser to determine Fair Market Value for residential development land in Hastings and will bring an updated parkland dedication and fee in lieu of land calculation and ordinance to Council this summer.

- Any key decisions/timelines
  - Arena:
    - West Rink roof has significant leaking, has been repaired multiple times in last 10 years. - \$800k job, \$420k on hand in 615 Fund Balance
    - Refrigeration control units may need to be ordered in advance. – 12 Month Lead
  - Next steps with Fees In Lieu of Parkland
  - Next steps with Local Option Sales Tax, Bonding
  - Other?

Adjourn: 7:00pm

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Mary D. Fasbender, Mayor

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Kelly Murtaugh, City Clerk

**Hastings, Minnesota**  
**City Council Meeting Minutes**  
**April 3, 2023**

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, April 3, 2023 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 Folch, Fox, Leifeld, Lund, and Pemble

**Members Absent:** Councilmember Haus

**Staff Present:** City Administrator Dan Wietecha  
Assistant City Administrator Kelly Murtaugh  
City Attorney Korine Land  
Public Works Director Ryan Stempski  
Police Chief David Wilske

**Proclamation:** Arbor Day 2023

**Approval of Minutes**

Mayor Fasbender asked if there were any additions or corrections to the minutes of the workshop and regular City Council meeting on March 20, 2023.

Minutes were approved as presented.

**Comments from the Audience**

Raymond Menard, 906 1<sup>st</sup> Street East, and Cynthia Carl, 102 Washington Street, presented concerns about the area between Franklin and Washington and 1<sup>st</sup> and 2<sup>nd</sup> 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 4<sup>th</sup> Street East, described the difficulties for families and concerns about flooding on part of 4<sup>th</sup> Street.

Pete Likes, 3000 4<sup>th</sup> St East, provided some history on the flooding on the east side and requested a sign on 2<sup>nd</sup> 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 4<sup>th</sup> St East, posed questions and concern about emergency vehicle and personnel access due to train traffic or flooding.

**Consent Agenda**

Councilmember Leifeld motioned to approve the Consent Agenda with removal of items 13, 17, 18 to be placed under X. Reports from City Staff: E. Administration, seconded by Councilmember Fox.  
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. Approve In-Store Fireworks Sales License for TNT Fireworks at Coborn’s #2037, 225 33<sup>rd</sup> Street West
11. Escrow Accounts and Fees for Development
  - a. 1<sup>st</sup> Reading and Order Public Hearing: City Code Amendment – Chapter 34.03: Escrows and Fees
  - b. 1<sup>st</sup> Reading and Order Public Hearing: City Code Amendment – Chapter 154: Escrows and Fees
  - c. 1<sup>st</sup> Reading: City Code Amendment – Chapter 155: Escrows and Fees
12. 1<sup>st</sup> Reading: City Code Amendment – Chapter 155: Solar Energy Systems
13. 2<sup>nd</sup> 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

## **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 6<sup>th</sup> 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 p.m.

Mayor Fasbender closed the public hearing at: 8:05 p.m.

Council expressed appreciation to Stempski on helpful explanation of the assessment process and fee structure with a per lot approach. Council discussion on the assessment to St. Philip's Lutheran Church. Stempski indicated they have been working with St. Philip's to review the assessment process and provide a better understanding of the project. Council shared additional concerns St. Philip's had regarding timing of the project. Stempski assured Council that the City will continue to work with the church as the process moves forward.

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

## **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 \$8,000 during the 1<sup>st</sup> Reading at that last meeting.

Council discussion on the retail license fee, suggesting that it be more closely aligned with on-sale liquor licenses. Attorney Land remarked on the differences in compliance with regulated and unregulated products and the expenses to monitor compliance. Council discussion on the ability to revisit the conversation in the future. Council discussed the 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. Council recognized the work the Public Safety Advisory Commission and the Public Safety Committee put into the recommendations provided.

Councilmember Fox motioned to approve, amending retail sales to \$6,000 annually, seconded by Councilmember Folch.  
3 Ayes, 3 Nays (Fasbender, Pemble, Lund)

Councilmember Lund motioned to approve as originally presented, seconded by Councilmember Pemble.  
5 Ayes, 1 Nay (Folch)

## **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. Stempski indicated the flood projections are at a moderate level at this time and provided explanation of the process of initial planning and coordination. Council suggested the Operations Committee review the concerns. Chief Wilske addressed the placement of the emergency vehicle near the railroad tracks and the responsibility of public safety.

Councilmember Folch motioned to accept report as presented, seconded by Councilmember Fox.  
6 Ayes, 0 Nays.

## **No Wake Ordinance**

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At [ccagenda-subscribe@hastingsmn.gov](mailto:ccagenda-subscribe@hastingsmn.gov) or by calling 651-480-2350  
City Council packets can be viewed in searchable format on the City's website at  
<http://www.hastingsmn.gov/city-government/city-council/city-council-agendas-and-minutes>

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 county sheriff departments have decided to not take action at this time.

Council discussion on the marina's 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 yet been made available. Chief Wilske reviewed the process of how changes on waterways are made, and ultimately decided by the Department of Natural Resources.

### **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**

- Finance Committee Meeting on Wednesday, April 5, 2023 at 7:00 p.m.
- Administration Committee Meeting on Monday, April 10, 2023 at 7:00 p.m.
- Planning Commission Meeting on Monday, April 10, 2023 at 7:00 p.m. - Cancelled
- Arts & Culture Commission Meeting on Wednesday, April 12, 2023 at 7:00 p.m.
- HEDRA Meeting on Thursday, April 13, 2023 at 6:00 p.m.
- City Council Regular Meeting on Monday, April 17, 2023 at 7:00 p.m.

Councilmember Leifeld motioned to adjourn the meeting at 9:05 PM, seconded by Councilmember Pemble. Ayes 6; Nays 0.

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Kelly Murtaugh, City Clerk

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Mary D. Fasbender, Mayor





**City Council Memorandum**

**To:** Mayor Fasbender & City Council Members

**From:** Connie Lang – Accountant

**Date:** 04/13/2023

**Item:** Disbursements

**Council Action Requested:**

Staff requests:

Council review of March 2023 CenterPoint, Xcel, Wex, Health Insurance payments.

Council review of weekly routine disbursements issued 04/11/2023.

Council approval of routine disbursements, capital purchases and employee reimbursements to be issued 04/18/2023.

**Background Information:**

Disbursements for routine items are made weekly. Disbursements for capital purchases and employee reimbursements are made twice a month, subsequent to Council approval.

**Financial Impact:**

March 2023 Centerpoint Payment	\$	32,448.52
March 2023 Xcel Payment	\$	64,461.35
March 2023 Wex Admin Fee Payment	\$	286.00
March 2023 Health Ins Payment	\$	169,379.00
Disbursement Checks & EFT on 04/11/2023	\$	371,717.54
Disbursement Checks, Hedra & EFT to be issued on 04/18/2023	\$	99,637.64

**Advisory Commission Discussion:** N/A

**Council Committee Discussion:** N/A

**Attachments:** • Disbursement Reports

**CENTERPOINT ENERGY**  
**March 2023 Payment**

<b>Department</b>	<b>Account</b>	<b>Dollar Amt</b>
Police	101-140-1403-6345	80.70
City Hall	101-140-1404-6345	5,867.71
City Storage	101-140-1407-6345	1,945.50
Alt Learning Ctr	101-401-4143-6345	552.51
Parks	200-401-4440-6345	781.73
Jt Maint	200-401-4447-6345	2,851.47
Pool	201-401-4240-6345	276.20
Fire	213-210-2100-6345	3,624.73
Le Duc	220-450-4160-6345	1,592.61
Water	600-300-3300-6345	2,733.54
Water	600-300-3302-6345	732.49
Garage	601-300-3400-6345	2,151.42
Arena	615-401-4103-6345	9,257.91
<b>TOTAL</b>		<b>32,448.52</b>

**XCEL AUTOMATIC PAYMENTS**  
**Mar 2023 Payments**

<b>Xcel Acct #</b>	<b>Amount</b>	<b>Date Paid</b>	<b>Account #</b>	
51-6960213-7	1,905.39	3-Mar	101-140-1403-6343	
51-6960208-0	1,835.78	15-Mar	101-140-1404-6343	
51-8110141-1	125.69	15-Mar	101-140-1407-6343	
51-6960219-3	66.56	14-Mar	101-201-2016-6343	
51-6960210-4	178.26	15-Mar	101-300-3100-6343	
51-6960210-4	891.28	15-Mar	101-301-3200-6343	
51-0011278454-9	217.65	15-Mar	101-302-3201-6343	
51-0263715-0	600.28	15-Mar	101-302-3201-6343	
51-6960218-2	15,121.66	21-Mar	101-302-3201-6343	
51-6960215-9	2,218.16	9-Mar	200-401-4440-6343	
51-0010048093-4	16.56	15-Mar	200-401-4440-6343	
51-0011082067-5	347.89	15-Mar	200-401-4440-6343	
51-6960220-6	1,032.63	14-Mar	200-401-4447-6343	
51-6960209-1	282.76	2-Mar	201-401-4240-6343	
51-6960214-8	1,175.35	14-Mar	213-210-2100-6343	
51-7216831-9	528.22	15-Mar	220-450-4160-6343	
51-6960216-0	11,488.48	3-Mar	600-300-3300-6343	
51-6960210-4	713.03	15-Mar	600-300-3300-6343	
51-6960216-0	3,594.06	3-Mar	600-300-3302-6343	
51-6960217-1	1,385.76	9-Mar	601-300-3400-6343	
51-6960211-5	-9,301.56	3-Mar	615-401-4103-5830	Hubers
51-6960211-5	30,232.74	3-Mar	615-401-4103-6343	Hubers/Wildcat
51-6960211-5	-1,232.53	3-Mar	620-300-3500-5830	Wildcat
51-6960212-6	-3,387.03	6-Mar	620-300-3500-5830	Wildcat
51-6960212-6	<u>4,424.28</u>	6-Mar	620-300-3500-6343	Wildcat
 Total	 64,461.35			

**Wex Health, Inc - Admin Fees**  
**Mar-23**

VIII-01

<b>Account Description</b>	<b>Account</b>	<b>Amount</b>
Employer Paid HRA/HSA Admin Fee - Administration	101-105-1051-6131	8.25
Employer Paid HRA/HSA Admin Fee - City Clerk	101-107-1071-6131	10.59
Employer Paid HRA/HAS Admin Fee - Finance	101-120-1201-6131	16.50
Employer Paid HRA/HSA Admin Fee - Maintenance	101-140-1401-6131	2.34
Employer Paid HRA/HSA Admin Fee - Planning	101-150-1501-6131	2.75
Employer Paid HRA/HSA Admin Fee - IT	101-160-1601-6131	5.50
Employer Paid HRA/HSA Admin Fee - Police	101-201-2010-6131	90.75
Employer Paid HRA/HSA Admin Fee -Building Safety	101-230-2301-6131	11.00
Employer PaidHRA/HSA Admin Fee -Code Enforcement	101-230-2302-6131	2.75
Employer Paid HRA/HSA Admin Fee - Engineering	101-300-3100-6131	6.46
Employer Paid HRA/HSA Admin Fee - Streets	101-301-3200-6131	11.00
Employer Paid HRA/HSA Admin Fee - Parks	200-401-4440-6131	27.50
Employer Paid HRA/HSA Admin Fee - Aquatic	201-401-4240-6131	0.00
Employer Paid HRA/HSA Admin Fee - Cable	205-420-4201-6131	0.41
Employer Paid HRA/HSA Admin Fee - Historical	210-170-1702-6131	0.69
Employer Paid HRA/HSA Admin Fee - Fire	213-210-2100-6131	9.76
Employer Paid HRA/HSA Admin Fee - Ambulance	213-220-2200-6131	39.74
Employer Paid HRA/HSA Admin Fee - Leduc	220-450-4160-6131	0.41
Employer Paid HRA/HSA Admin Fee - HRA	404-500-6003-6131	0.00
Employer Paid HRA/HSA Admin Fee - Econ. Develop.	407-180-6003-6131	4.81
Employer Paid HRA/HSA Admin Fee - Water	600-300-3300-6131	11.96
Employer Paid HRA/HSA Admin Fee - Wastewater	601-300-3400-6131	8.39
Employer Paid HRA/HSA Admin Fee - Storm Water	603-300-3600-6131	7.70
Employer Paid HRA/HSA Admin Fee - Arena	615-401-4103-6131	5.50
Employer Paid HRA/HSA Admin Fee - Hydro	620-300-3500-6131	1.24
	<b>TOTAL</b>	<b>286.00</b>

**Health Insurance Premiums  
March 2023**

VIII-01

<b>ACCOUNT DESCRIPTION</b>	<b>ACCOUNT #</b>	<b>AMOUNT</b>
Medical Insurance Withholding	101-000-0000-2185	14,087.95
COBRA Paid Insurance	101-000-0000-2185	5,900.88
Employer Paid Health Ins. - Administration	101-105-1051-6131	723.81
Employer Paid Health Ins. - Communications	101-107-1061-6131	1,378.53
Employer Paid Health Ins. - City Clerk	101-107-1071-6131	2,329.83
Employer Paid Health Ins. - Finance	101-120-1201-6131	4,136.97
Employer Paid Health Ins. - Maintenance	101-140-1401-6131	1,695.27
Employer Paid Health Ins. - Planning	101-150-1501-6131	992.67
Employer Paid Health Ins. - IT	101-160-1601-6131	3,777.41
Employer Paid Health Ins. - Police	101-201-2010-6131	34,956.82
Employer Paid Health Ins. -Building Safety	101-230-2301-6131	4,762.55
Employer Paid Health Ins.-Code Enforcement	101-230-2302-6131	1,621.80
Employer Paid Health Ins. - Engineering	101-300-3100-6131	2,249.73
Employer Paid Health Ins. - Streets	101-301-3200-6131	3,307.69
Medical Insurance Withholding	200-000-0000-2185	2,085.18
Employer Paid Health Ins. - Parks	200-401-4440-6131	11,067.70
Employer Paid Health Ins. - Swimming Pool	201-401-4240-6131	0.00
Medical Insurance Withholding	205-000-0000-2185	104.26
Employer Paid Health Ins. - Cable	205-420-4201-6131	243.27
Employer Paid Health Ins. --Heritage	210-170-1702-6131	180.95
Medical Insurance Withholding	213-000-0000-2185	4,747.63
Employer Paid Health Ins. - Fire	213-210-2100-6131	4,003.05
Employer Paid Health Ins. - Ambulance	213-220-2200-6131	16,025.32
Medical Insurance Withholding	220-000-0000-2185	128.23
Employer Paid Health Ins. - Leduc	220-450-4160-6131	299.16
Medical Insurance Withholding	407-000-0000-2185	578.33
Employer Paid Health Ins. - Econ. Dev.	407-180-6003-6131	2,073.24
Medical Insurance Withholding	600-000-0000-2185	290.52
Employer Paid Health Ins. - Water	600-300-3300-6131	4,574.28
Medical Insurance Withholding	601-000-0000-2185	282.14
Employer Paid Health Ins. - Wastewater	601-300-3400-6131	3,293.83
Medical Insurance Withholding	603-000-0000-2185	629.65
Employer Paid Health Ins. - Storm Water	603-300-3600-6131	3,352.96
Medical Insurance Withholding	615-000-0000-2185	695.06
Employer Paid Health Ins. - Arena	615-401-4103-6131	2,424.81
Medical Insurance Withholding	620-000-0000-2185	0.00
Employer Paid Health Ins. - Hydro	620-300-3500-6131	362.15
Employer Paid Health.Ins. - Retirees	701-600-6002-6131	<u>30,015.36</u>
<b>TOTAL</b>		<b>169,379.00</b>

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT	
NON-DEPARTMENTAL	GENERAL	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	3,158.93	
			APR DENTAL PREMIUM	211.01	
			MARCH DENTAL PREMIUMS	3,218.73	
			MARCH DENTAL PREMIUMS	213.75	
			TOTAL:	6,805.16	
ADMINISTRATION	GENERAL	CRAIG RAPP LLC	STRATEGIC PLANNING FACILIT	4,875.00	
			BIG BELLY SOLAR, LLC	GARBAGE CANS	71,957.80
			GRAPHIC DESIGN	ENVELOPES-#10 REG. SECURIT	335.83
			METRO AREA MNGR ASSN.	MAMA MEMBER LUNCHEON-WIETE	25.00
			TOTAL:	77,193.63	
FINANCE	GENERAL	EZLEASE	EZLEASE CLOUD ANNUAL 2023	3,000.00	
			TOTAL:	3,000.00	
FACILITY MANAGEMENT	GENERAL	GILBERT MECHANICAL CONTRACTORS, INC.	C.H. HEATING ACTUATORS	183.58	
			CH INSTALLED NEW EP SWITCH	550.35	
			PD PNEUMATIC LEAKS FOR HVA	357.50	
			MN DEPT LABOR & INDUSTRY	CH 2023 ELEVATOR OPER PERM	100.00
				PD ELEVATOR ANNUAL OPER PE	100.00
			TERRYS HARDWARE, INC.	PD CAP NUT	2.99
				FC STEEL FLAT, SCREWS, HOS	32.77
				FC ROOF PATCH	24.74
			TOTAL:	1,351.93	
			I.T.	GENERAL	LOGIS/LOCAL GOVERNMENT INFORMATION SYS
NOW MICRO INC	3 RACKMOUNT UPS'S	1,458.21			
PARAGON DEVELOPMENT SYSTEMS INC	PROFESSIONAL SVC FOR O365	3,328.75			
TOTAL:	4,801.96				
POLICE	GENERAL	DAKOTA COUNTY TREASURER-AUDITOR	JAN RADIO LICENSE FEES-PD	1,703.09	
			FEB RADIO LICENSE FEES PD	1,703.09	
			MAR RADIO LICENSE FEE PD&F	1,703.09	
			MARIE RIDGEWAY LICSW LLC	EMP CONSULTS & CHECK-INS	1,400.00
				MOBILE PRO SYSTEMS	CAMERA TRAILER WARRANTY
			HOLIDAY STATIONSTORES LLC	CAMERA TRAILER REPAIRS	434.00
				DAKOTA 911	MARCH 2023 CAR WASHES PD
			BILL HICKS & CO., LTD	DCC FEE / 2023 MAY	29,679.33
			DAKOTA ELECTRIC ASSN	WEAPONRY .223 RIFLE AMMO	6,599.99
				ELECTRIC	17.69
			TOTAL:	45,245.68	
			PUBLIC WORKS STREETS	GENERAL	JOHN HENRY FOSTER MN, INC.
DRESSER TRAP ROCK, INC.	FA-2 - 1/4" CHIPS	448.02			
T A SCHIFSKY & SONS, INC.	FA-2 - 1/4" CHIPS	426.40			
	10.09 TONS ASPHALT	3,500.91			
ZIEGLER, INC.	HOSE, SEAL, SEAL O RING	96.30			
TOTAL:	4,590.62				
PUBLIC WORKS STR. LIGH	GENERAL	CRESCENT ELECTRIC SUPPLY COMPANY	42W/LED LIGHT BULBS	625.51	
			HOMETOWN ACE HARDWARE	SOCKET HEX BITS	64.04
			TOTAL:	689.55	
PARKS & RECREATION	GENERAL	TERRYS HARDWARE, INC.	NEW SAW AND CHAINS	856.64	
			TOTAL:	856.64	

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	PARKS	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	624.57
			MARCH DENTAL PREMIUMS	<u>1,249.14</u>
			TOTAL:	1,249.14
PARKS & RECREATION	PARKS	CARPENTER NATURE CENTER/THOMAS & EDNA	PROGRAMMING 7/27/23	350.00
		PIONEER MANUFACTURING CO., INC.	FIELD PAINT	1,339.00
		FLAGSHIP RECREATON	BENCH PARTS	933.00
		HOMETOWN ACE HARDWARE	SUPPLIES TO BUILD SHELVES	91.48
		PEDRO FONSECA	MUSIC IN THE PARK FOR JUNE	1,400.00
		CHICO CHAVEZ ORCHESTRA	MUSIC IN THE PARK 8/17	1,250.00
		TUMBLIN DICE	MUSIC IN THE PARK - AUG 3R	1,500.00
		H & L MESABI	HOLDER BLOWER BLADES	413.00
		MTI DISTRIBUTING COMPANY	5910 PARTS	1,903.52
		TERRYS HARDWARE, INC.	KEY IDENTIFIER FOR HOLDER	2.32
			MISC SHOP SUPPLIES	<u>99.27</u>
			TOTAL:	9,281.59
PARKS & RECREATION	AQUATIC CENTER	ACTIVE NETWORK, LLC	BANK REVERSE CHARGE	55.00
		MN DEPARTMENT OF HEALTH	FOOD SAFETY LICENSE RENEWA	<u>35.00</u>
			TOTAL:	90.00
NON-DEPARTMENTAL	CABLE TV	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	18.40
			MARCH DENTAL PREMIUMS	<u>18.40</u>
			TOTAL:	36.80
NON-DEPARTMENTAL	FIRE & AMBULANCE	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	738.71
			MARCH DENTAL PREMIUMS	<u>738.71</u>
			TOTAL:	1,477.42
FIRE	FIRE & AMBULANCE	DAKOTA COUNTY TREASURER-AUDITOR	JAN RADIO LICENSE FEES-PD	1,213.16
			FEB RADIO LICENSE FEES PD	1,213.16
			MAR RADIO LICENSE FEE PD&F	1,213.16
		HEALTH STRATEGIES	PREPLACEMENT PHYSICAL-MAIN	396.00
			PREPLACEMENT PHYSICAL-MOES	396.00
		DAKOTA 911	DCC FEE / 2023 MAY	14,839.67
		ASPEN MILLS	UNIFORMS	396.05
		RIVERLAND COMMUNITY COLLEGE	FIRE SCHOOL FOR HECK	<u>305.00</u>
			TOTAL:	19,972.20
AMBULANCE	FIRE & AMBULANCE	HASTINGS FORD	RETAINER FOR MEDIC 3	10.56
		LINDE GAS & EQUIPMENT INC.	OXYGEN	187.34
			OXYGEN	1,295.02
			OXYGEN	<u>215.95</u>
			TOTAL:	1,708.87
NON-DEPARTMENTAL	LEDUC HISTORIC EST	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	6.42
			MARCH DENTAL PREMIUMS	<u>6.42</u>
			TOTAL:	12.84
LEDUC	LEDUC HISTORIC EST	TERRYS HARDWARE, INC.	LD ADAPTER CLAMP TUBING	<u>13.48</u>
			TOTAL:	13.48
NON-DEPARTMENTAL	HEDRA	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	42.75
			MARCH DENTAL PREMIUMS	<u>42.75</u>
			TOTAL:	85.50

VIII-01

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
PUBLIC WORKS	2023 IMPROVEMENTS	BARR ENGINEERING CO.	2023 SERVICES	4,622.00
			TOTAL:	<u>4,622.00</u>
NON-DEPARTMENTAL	WATER	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	105.84
			MARCH DENTAL PREMIUMS	80.19
		MISCELLANEOUS V HOFFMAN, JERI	01-413000-00	29.68
		MILLIGAN, DANIEL	01-719000-01	10.13
		DONKER, RAND/JEAN	02-163000-01	11.52
		KNOLL, SARA	09-042000-01	16.59
		KAPSNER, HERBERT/MAR	15-211000-04	12.86
		SURA, SHIRLEY A	17-722000-01	84.91
			TOTAL:	<u>351.72</u>
PUBLIC WORKS	WATER	HOMETOWN ACE HARDWARE	LAWN/GARDEN SPRAYER	13.49
			MARKING WAND PRO	34.19
		CORE & MAIN LP	IPERL 3/4 METERS S/POINT M	14,809.83
			IPERL 3/4 METERS S/POINT M	11,956.56
		US SALT	SALT - WATER TREATMENT PLA	7,451.42
		DAKOTA ELECTRIC ASSN	ELECTRIC	158.55
		GOPHER STATE ONE-CALL INC	LOCATES TICKETS-MARCH	67.50
		GRAPHIC DESIGN	UTILITY BILLING STMTS	230.34
			UTILITY BILLING STMTS	1,079.87
			ENVELOPES-#10 REG. SECURIT	67.17
		QUALITY FLOW SYSTEMS, INC.	VALVE	1,410.00
			TOTAL:	<u>37,278.92</u>
NON-DEPARTMENTAL	WASTEWATER	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	83.24
			MARCH DENTAL PREMIUMS	66.17
			TOTAL:	<u>149.41</u>
PUBLIC WORKS	WASTEWATER	DAKOTA ELECTRIC ASSN	ELECTRIC	182.12
			ELECTRIC	104.95
		GRAPHIC DESIGN	UTILITY BILLING STMTS	230.33
		MCES	WASTEWATER SERVICES - MAY	138,272.63
			TOTAL:	<u>138,790.03</u>
NON-DEPARTMENTAL	STORM WATER UTILIT	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	142.45
			MARCH DENTAL PREMIUMS	133.92
			TOTAL:	<u>276.37</u>
PUBLIC WORKS	STORM WATER UTILIT	BARR ENGINEERING CO.	2023 SERVICES	8,734.50
		GRAPHIC DESIGN	UTILITY BILLING STMTS	230.33
		LEAGUE OF MN CITIES	MN CITIES STORMWATER 2023	1,050.00
			TOTAL:	<u>10,014.83</u>
NON-DEPARTMENTAL	ARENA	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	208.19
			MARCH DENTAL PREMIUMS	208.19
			TOTAL:	<u>416.38</u>
NON-DEPARTMENTAL	HYDRO ELECTRIC	METROPOLITAN LIFE INSURANCE CO.	APR DENTAL PREMIUM	4.28
			MARCH DENTAL PREMIUMS	4.27-
			TOTAL:	<u>0.01</u>
PUBLIC WORKS	HYDRO ELECTRIC	AVANT ENERGY, INC.	ANNUAL ADMIN FEE	1,354.86
			TOTAL:	<u>1,354.86</u>

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
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===== FUND TOTALS =====
101 GENERAL 144,535.17
200 PARKS 10,530.73
201 AQUATIC CENTER 90.00
205 CABLE TV 36.80
213 FIRE & AMBULANCE 23,158.49
220 LEDUC HISTORIC ESTATE 26.32
407 HEDRA 85.50
483 2023 IMPROVEMENTS 4,622.00
600 WATER 37,630.64
601 WASTEWATER 138,939.44
603 STORM WATER UTILITY 10,291.20
615 ARENA 416.38
620 HYDRO ELECTRIC 1,354.87
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GRAND TOTAL: 371,717.54
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# VIII-01

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
ADMINISTRATION	GENERAL	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	22.10
			TOTAL:	<u>22.10</u>
				<b>VIII-01</b>
CITY CLERK	GENERAL	I/O SOLUTIONS, INC.	INTEGRITY INVENTORY	696.00
			INTEGRITY INVENTORY	696.00
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	14.19
			MAY 2023 LTD PREMIUM	48.57
		MINNESOTA OCCUPATIONAL HEALTH	SCREENING	322.00
		YOUR SPACE ADVERTISING LLC	HALF TIME MONTHLY- 4/4-10/	<u>1,200.00</u>
			TOTAL:	2,976.76
FINANCE	GENERAL	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	67.60
		GRAPHIC DESIGN	#9 REPLY ENVELOPES - BLUE	163.00
		NIEDERKORN, KIMBERLY	MILEAGE	<u>96.22</u>
			TOTAL:	326.82
LEGAL	GENERAL	CAMPBELL KNOTSON, P.A.	FEB 2023 LEGAL FEES	9,784.05
			MARCH 2023 LEGAL FEES	10,224.25
		LEVANDER, GILLEN & MILLER, P.A.	MARCH 2023 RETAINER	2,233.39
			MARCH 2023 RETAINER	2,276.50
			MARCH 2023 RETAINER	1,162.50
			MARCH 2023 RETAINER	124.00
			MARCH 2023 RETAINER	589.00
			MARCH 2023 RETAINER	<u>248.00</u>
			TOTAL:	26,641.69
FACILITY MANAGEMENT	GENERAL	CRESCENT ELECTRIC SUPPLY COMPANY	FC LIGHT POLES	625.51
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	12.89
		KAT-KEY'S LOCK & SAFE, INC.	CH DIGITAL KEY PAD	600.00
		W.W. GRAINGER, INC.	CH ACTUATOR, FLUSH VALVE,	352.67
			PD BOILER RM FAN MOTOR	368.39
		NINE EAGLES PROMOTIONS	CLOTHING	80.00
		TERRYS HARDWARE, INC.	PD TIP SET, BATTERIES, NUT	<u>58.16</u>
			TOTAL:	2,097.62
COMMUNITY DEVELOPMENT	GENERAL	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	19.89
		JOHN HINZMAN	HINZMAN-CONFERENCE PHILADE	<u>355.50</u>
			TOTAL:	375.39
I.T.	GENERAL	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	53.91
		FOXIT CORPORATION	FOXIT LICENSE - SCHOWALTER	272.99
		ACTIVE NETWORK, LLC	ANNUAL SUBSCRIPTION	10,712.00
		BRIGHTLY SOFTWARE, INC.	SMARTGOV ANNUAL SUBSCRIPTI	18,886.56
		MARCO TECHNOLOGIES, LLC	SERVICES FOR PHONE UPGRADE	540.00
		DAKOTA COUNTY FINANCIAL SERVICES	APRIL IT SERVER LEASE	<u>250.00</u>
			TOTAL:	30,715.46
POLICE	GENERAL	ADVANCED GRAPHIX	HYBRID DECAL FOR 1411	55.00
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	<u>655.04</u>
			TOTAL:	710.04
BUILDING & INSPECTIONS	GENERAL	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	67.72
			MAY 2023 LTD PREMIUM	15.22
		KLETSCHKA INSPECTIONS, LLC	ELECTRICAL INSPECTIONS	<u>3,484.00</u>
			TOTAL:	3,566.94

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
PUBLIC WORKS	GENERAL	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	44.70
		JOSHUA SIRINEK	WORK BOOTS	200.00
			TOTAL:	244.70
PUBLIC WORKS STREETS	GENERAL	PRECISE MOBILE RESOURCE MGMT. LLC	10MB FLAT DATA PLAN	150.00
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	71.84
		CONFLUENCE DEVELOPMENT, LLC	XCEL ENERGY RAMP	138.70
			XCEL ENERGY RAMP	62.37
			XCEL ENERGY RAMP	143.84
			XCEL ENERGY RAMP	124.64
			XCEL ENERGY RAMP	3,953.75
		MISCELLANEOUS V JON CARLSON	JON CARLSON:MAILBOX REPLAC	75.00
		JOSH LOHMANN	JOSH LOHMANN:MAILBOX REPLA	75.00
			TOTAL:	4,795.14
PUBLIC WORKS STR. LIGH	GENERAL	DAKOTA ELECTRIC ASSN	ELECTRIC	3,022.40
			TOTAL:	3,022.40
PARKS & RECREATION	GENERAL	HASTINGS SCHOOL DISTRICT #200	APRIL 23 SNR CTR/TILDEN SH	2,500.00
			TOTAL:	2,500.00
PARKS & RECREATION	PARKS	CINTAS CORPORATION NO 2	FIRST AID SUPPLIES FOR JMF	55.86
		TRI-STATE BOBCAT, INC.	PINS FOR TOOL CAT	146.42
		INNOVATIVE OFFICE SOLUTIONS, LLC	PAPER	38.49
		SCHLOMKA'S PORTABLE RESTROOMS & MOBILE	SERVICES FOR MARCH 2023	370.00
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	157.07
		HOMETOWN ACE HARDWARE	HEADPHONES-LEANDER	68.24
		NICHOLAS KUMMER	PER DIEMS - HINKLEY	324.50
		LEANDER DE VILLIERS	TRAINING PER DIEMS	324.50
		DALCO	TOWELS FOR JMF	425.34
		HAILEY TRZEBIATOWSKI	MUSIC IN THE PARK-8/10/23	1,000.00
		JEFFREY DAYTON	MUSIC IN THE PARK-8/24/23	2,000.00
		ECOLAB PEST ELIMINATION DIVISION	JM PEST CONTROL	135.00
		MTI DISTRIBUTING COMPANY	BLADES FOR 5910	735.46
		NINE EAGLES PROMOTIONS	CLOTHING	210.00
		TERRYS HARDWARE, INC.	HELMET FOR DEVILLERS	79.95
			JM LED BULBS	189.43
	TOTAL:	6,260.26		
CABLE	CABLE TV	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	2.50
			TOTAL:	2.50
HERITAGE PRESERVATION	HERITAGE PRESERVAT	FORTNEY, JUSTIN	MICROFILM SHIPPING FOR SCA	73.52
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	4.81
			TOTAL:	78.33
FIRE	FIRE & AMBULANCE	IMAGE TREND, INC.	SERVICE BRIDGE MONTHLY FEE	675.00
			ELITE MONTHLY FEE	289.83
			VAULT ANNUAL FEE	848.72
		ALAN STORLIE	PER DIEMS	129.69
			PER DIEMS	106.00
			PER DIEMS	15.00
		STEVENS, JAMIE	STEVENS CONFERENCE FEE, MI	129.69
			STEVENS CONFERENCE FEE, MI	106.00
			STEVENS CONFERENCE FEE, MI	15.00
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	64.42

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		TESCH, KAYLA	REIMBURSE FOR SAFETY FOOTW	72.00
		ASPEN MILLS	UNIFORMS	239.00
			UNIFORMS	144.60
			UNIFORMS	398.53
			UNIFORMS	196.02
			UNIFORMS	356.75
		TERRYS HARDWARE, INC.	SUPPLIES FOR TENDER 1	33.14
			TOTAL:	3,820.35
AMBULANCE	FIRE & AMBULANCE	ALLINA HOSPITALS & CLINICS	AMBULANCE SUPPLIES	298.56
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	257.10
		NINETY-FOUR SERVICES INC.	GRILL LEDS FOR MEDIC 3	76.57
			TOTAL:	632.23
LEDUC	LEDUC HISTORIC EST	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	2.28
			TOTAL:	2.28
POLICE RESERVES	POLICE RESERVE S.R	ITL PATCH & MONOGRAM	CSO BADGE PATCHES	50.00
			TOTAL:	50.00
ECONOMIC DEVELOPMENT	HEDRA	STANTEC CONSULTING SERVICES INC.	WOOD SEALING	1,000.00
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	16.58
		LEVANDER, GILLEN & MILLER, P.A.	MARCH 2023 RETAINER	11.50
			MARCH 2023 RETAINER	13.00
			MARCH 2023 RETAINER	659.00
			MARCH 2023 RETAINER	810.00
			MARCH 2023 RETAINER	416.00
			TOTAL:	2,926.08
PUBLIC WORKS	WATER	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	74.09
		JOSHUA SIRINEK	WATERWORKS EXAM CERT. FEE	23.00
		CITY OF BLOOMINGTON	BACT SAMPLING-MARCH 2023	312.00
		NINE EAGLES PROMOTIONS	CLOTHING	177.00
			TOTAL:	586.09
PUBLIC WORKS	WASTEWATER	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	53.07
			TOTAL:	53.07
PUBLIC WORKS	STORM WATER UTILIT	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	55.50
			TOTAL:	55.50
PARKS & RECREATION	ARENA	CINTAS CORPORATION NO 2	RESTOCK FIRST AID KIT	117.67
		HUEBSCH LAUNDRY CO.	ENTRY RUG SERVICE	38.63
			ENTRY RUG SERVICE	38.63
			ENTRY RUG SERVICE	38.63
		SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	32.82
		R & R SPECIALTIES, INC.	BLADE SHARPENING	42.50
			TOTAL:	308.88
PUBLIC WORKS	HYDRO ELECTRIC	SUN LIFE ASSUANCE COMPANY OF CANADA	MAY 2023 LTD PREMIUM	6.51
			TOTAL:	6.51
MISCELLANEOUS	INSURANCE FUND	LEAGUE OF MN CITIES INS TRST	WC 00481902	2,369.74
			WC 00483237	145.06
			WC 00484021	924.90
			WC 00488721	3,101.82

VIII-01

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	6,541.52
				<b>VIII-01</b>
NON-DEPARTMENTAL	ESCROW - DEV/ENG/T	LEVANDER, GILLEN & MILLER, P.A.	MARCH 2023 RETAINER	35.98
			MARCH 2023 RETAINER	12.00
			MARCH 2023 RETAINER	30.50
			MARCH 2023 RETAINER	13.50
			MARCH 2023 RETAINER	82.00
			MARCH 2023 RETAINER	27.00
			MARCH 2023 RETAINER	40.00
			MARCH 2023 RETAINER	78.00
			TOTAL:	318.98

===== FUND TOTALS =====

101	GENERAL	77,995.06
200	PARKS	6,260.26
205	CABLE TV	2.50
210	HERITAGE PRESERVATION	78.33
213	FIRE & AMBULANCE	4,452.58
220	LEDUC HISTORIC ESTATE	2.28
221	POLICE RESERVE S.R.	50.00
407	HEDRA	2,926.08
600	WATER	586.09
601	WASTEWATER	53.07
603	STORM WATER UTILITY	55.50
615	ARENA	308.88
620	HYDRO ELECTRIC	6.51
705	INSURANCE FUND	6,541.52
807	ESCROW - DEV/ENG/TIF-HRA	318.98
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	GRAND TOTAL:	99,637.64
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*City Council Memorandum*

**To:** Mayor Fasbender & City Councilmembers  
**From:** Paige Marschall Bigler, Recreation Program Specialist  
**Date:** April 17, 2023  
**Item:** Accept a Donation from SC Toys to the Parks and Recreation Department

**Council Action Requested:** Council is asked to accept a donation in the amount of \$1,000.00, made to the Parks and Recreation Department and has designated that this donation be used for the Rec+Art+Police program series.

**Background Information:** SC Toys has made this donation to be used towards the Rec+Art+Police Program Series to benefit youth activities in the community.

**Financial Impact:**

Increase the Parks and Recreation donation account by \$1,000.00

**Advisory Commission Discussion:**

N/A

**Council Committee Discussion:**

N/A

**Attachments:**

- Resolution

**CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION 04 - - 23**

**A RESOLUTION EXPRESSING ACCEPTANCE OF AND APPRECIATION OF  
A DONATION TO THE PARKS AND RECREATION DEPARTMENT**

**WHEREAS**, SC Toys has presented to the City Parks & Recreation Department a donation of \$1,000.00 and has designated that this donation be used for the Rec+Art+Police Program Series; and

**WHEREAS**, the City Council is appreciative of the donation and commends SC Toys for their civic efforts,

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Hastings, Minnesota;

1. That the donation is accepted and acknowledged with gratitude; and
2. That the donation will be appropriated for the Rec+Art+Police Program series in a City Park; and

Adopted this 17<sup>th</sup> Day of April, 2023

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Mary D. Fasbender, Mayor

Attest:

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Kelly Murtaugh, City Clerk



*City Council Memorandum*

**To:** Mayor Fasbender & City Councilmembers  
**From:** Paige Marschall Bigler, Recreation Program Specialist  
**Date:** April 17, 2023  
**Item:** Accept a Donation from Hastings Family Service to the Parks and Recreation Department

**Council Action Requested:** Council is asked to accept a donation in the amount of \$250.00, made to the Parks and Recreation Department and has designated that this donation be used for the Rec+Art+Police Program Series.

**Background Information:** Hastings Family Service has made this donation to be used towards the Rec+Art+Police Program Series.

**Financial Impact:**

Increase the Parks and Recreation donation account by \$250.00.

**Advisory Commission Discussion:**

N/A

**Council Committee Discussion:**

N/A

**Attachments:**

- Resolution



**CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA**

VIII-03

**RESOLUTION 04 - - 23**

**A RESOLUTION EXPRESSING ACCEPTANCE OF AND APPRECIATION OF A  
DONATION TO THE PARKS AND RECREATION DEPARTMENT**

**WHEREAS**, Hastings Family Service has presented to the City Parks & Recreation Department a donation of \$250.00 and has designated that this donation be used for the Rec+Art+Police Program Series; and

**WHEREAS**, the City Council is appreciative of the donation and commends Hastings Family Service for their civic efforts,

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Hastings, Minnesota;

1. That the donation is accepted and acknowledged with gratitude; and
2. That the donation will be appropriated to the Recreation program series.

Adopted this 17<sup>th</sup> day of April, 2023

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Mary D. Fasbender, Mayor

ATTEST:

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Kelly Murtaugh, City Clerk



*City Council Memorandum*

**To: Mayor Fasbender & City Councilmembers**  
**From: Emily King, Deputy City Clerk**  
**Date: April 17, 2023**  
**Item: Las Margaritas Outdoor Music Tent and Liquor License Amendment Request**

**Council Action Requested:**

Adopt the attached resolution for an outdoor music tent and liquor license amendment for Las Margaritas.

**Background Information:**

Nora Perez of Las Margaritas, 2100 Vermillion Street, submitted an outdoor music tent and liquor license amendment application for Saturday, May 6, 2023 from 4:00 p.m. to 11:00 p.m. The liquor license amendment allows liquor to be served within the confines of the fenced area around the music tent.

Details of the event:

- The event will be held outdoors in the parking lot of Las Margaritas, 2100 Vermillion Street, and the entire area will be enclosed by metal gates around the tent.
- There will be music played in the tent between the hours of 4:00 p.m. and 11:00 p.m.
- ID's will be checked at the gate entrance

Conditions of approval:

- The event must allow emergency access for emergency vehicles.
- Neighboring businesses and private citizens must be notified prior to the event.
- The City/Hastings Police Department retains authority to reduce the volume or cease completely if complaints are received.
- Tent inspection by the Fire/EMS Department to address proper safety items prior to the event.

**Financial Impact:**

The associated fee has been paid.

**Advisory Commission Discussion:**

N/A

**Council Committee Discussion:**

N/A

**Attachments:**

- Resolution

**CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION 04 - - 23**

**RESOLUTION APPROVING OUTDOOR  
MUSIC TENT AND LIQUOR  
LICENSE AMENDMENT FOR LAS MARGARITAS**

**WHEREAS**, Ms. Nora Perez, on behalf of Las Margaritas, 2100 Vermillion Street, presented an application to the City of Hastings for an outdoor music tent and liquor license amendment to serve liquor within the confines of a fenced area on May 6, 2023 from 4:00 p.m. to 11:00 p.m.; and

**WHEREAS**, approval is contingent upon the City receiving the permit fee; and

**WHEREAS**, the request is subject to the following conditions; and

- The event must allow emergency access for emergency vehicles.
- Neighboring businesses and private citizens must be notified prior to the event.
- The City/Hastings Police Department retains authority to reduce the volume or cease completely if complaints are received.
- Tent inspection by the Fire/EMS Department to address proper safety items prior to the event.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hastings that Las Margaritas outdoor music tent and liquor license amendment is approved.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS THIS 17<sup>TH</sup> DAY OF APRIL 2023.**

ATTEST:

\_\_\_\_\_  
Mary D. Fasbender, Mayor

\_\_\_\_\_  
Kelly Murtaugh, City Clerk



## **City Council Memorandum**

**To:** Mayor Fasbender & City Council Members  
**From:** Paige Marschall Bigler, Recreation Program Specialist  
**Date:** April 17, 2023  
**Item:** Designate Animal Ark 3k Walk as a Special Event.

### **Council Action Requested:**

Staff recommends approval of the June 10, 2023 Animal Ark 3k Walk and is supportive the event & Temporary liquor license with the conditions outlined below.

### **Background Information:**

Denyse Madden with Animal Ark is requesting to hold a 3k walk in the City of Hastings in support of the animal shelter. This event has an identical footprint to last years. The 3k route will begin and end at Animal Ark and utilize City trails where possible with portions of the route taking participants onto 21<sup>st</sup> Street E and Spiral Boulevard. The event will also include food vendors, beer and wine tasting, live music, & kids' activities. Animal Ark expects 200 in attendance for the event from 9:00 a.m. – 1:00 p.m. on Saturday, June 10<sup>th</sup>. Staff recommends approval of the route and event with the following conditions:

- Event Organizer will work with Hastings City Clerk to ensure all vendors have necessary permits and licensing.
- As part of the Temporary liquor license: the area must include a barrier identifying the beer & wine tasting area, I.D. check, & wristbands.
- 10' on-street pedestrian lane delineated by a traffic cone every 15'
  - Traffic cones must be supplied by the event organizer
  - Dedicated participant lane should be on the north side of Spiral Boulevard between Industrial Court and access point to the Ravine Trail and north side of 21<sup>st</sup> Street E
  - Event volunteers must monitor this lane and keep participants from encroaching in vehicular traffic lanes
  - Hastings patrol staff will check on the event as time permits
- Directional markings on pavement to be made by Event Organizers in chalk only.
- Event Organizers will notify affected neighboring businesses/property owners including: Industrial Court, Industrial Boulevard, Spiral Boulevard and Millard Avenue.
- Event Organizers will add a volunteer or additional signage on LeDuc Drive/21<sup>st</sup> St. East near the road curve/hill as a safety precaution.
- Event Organizers will add cones on 21<sup>st</sup> St. East from Commerce Drive to designate a walking space.

### **Financial Impact:**

N/A

### **Advisory Commission Discussion:**

N/A

### **Council Committee Discussion:**

None

**Attachments:**

- Special Event Permit Application
- Event Layout
- 3k Route Map
- Resolution approving temporary liquor license



## SPECIAL EVENT PERMIT APPLICATION

**ADHERE TO COVID-19 GUIDELINES.** The User represents & confirms that all requirements of the City and State of Minnesota related to COVID-19, including, but not limited to, Governor’s Executive Order & State Agency Guidance, have been included in the User’s COVID-19 Preparedness Plan which will be implemented and enforced while using any Facility in accordance this Agreement. User is responsible for monitoring & updating their COVID-19 Preparedness Plan should the requirements of the City or State of Minnesota be altered, updated, or otherwise changed.

General Event Information			
<b>Event Name:</b>			
<b>Name of Event Coordinator:</b>		<b>Home Phone:</b> (    )	
		<b>Work Phone:</b> (    )	
<b>Name of Organization /Business Hosting Event:</b>		<b>Cell Phone:</b> (    )	
		<b>E-mail:</b>	
<b>Mailing Address:</b>		<b>Website:</b>	
<b>On Site Contact Name:</b>		<b>On Site Contact Cell Phone:</b> (    )	
<b>Type of Event (mark all that apply):</b> Downtown Event    Race/Run/Walk    Concert/Performance    Fundraiser			
Other: _____			
<b>Date(s) Requested:</b>			
Date	Day of Week	Time	Total Hours
		am/pm to    am/pm	
		am/pm to    am/pm	
		am/pm to    am/pm	
<b>Is this event:</b> <input checked="" type="checkbox"/> Open to the public    Private		<b>Will this be an annual event?</b> Yes <input checked="" type="checkbox"/> No	
<b>Has this event been held in another City?</b> Yes    No			
<b>If yes, when was it held and where?</b> _____			
<b>Will an admission fee be charged?</b> Yes    No		<b>Will donations be accepted?</b> Yes    No	
<b>What will proceeds from the event be used for?</b>			
<b>Anticipated Attendance:</b> Total    Per Day			
<b>Will there be a tent(s) at the event?</b> Yes    No		<b>If yes, how many and how big?</b>	

Event Location Information
<b>Location of the event (including the starting line, finish line and staging/disbanding areas):</b>
Starting and ending at 2600 Industrial Court in Hastings. I have attached a photo of the route that the 3K walk will take.
<b>List of any City parks/facilities to be used for the event:</b>
The route will take the walkers past the Veterans Park and to the Vermillion Falls Park
<b>Number of vehicles expected at the event:</b> 100
<b>Describe where participants will park:</b> On the street as well as in other businesses parking lots(as we have it ok'd by the businesses). Map of parking spaces included as attachment.

If the event will take place on private property, has approval been obtained from the property owner(s)?  
 Yes            No

Please include a site plan for the event location that show the location of the starting line, finishing line, staging areas, tents, vendors, parking areas, sound amplification equipment and any other areas that will be setup as part of the event.

Recycling and Trash are required for collection at all events with waste. Recycling and Trash must follow the Best Management Practices including: paired and labeled containers. Questions? Please contact our City Recycling Coordinator 651-480-6182

Will your event generate waste? If yes, we recommend contacting a Hauler for bins and waste pick-up.  
 Yes            No      The only waste we will have is from the food trucks and that can go into the dumpsters we already have.

**Event Route Information**

Does the event propose to require the use of any public right of way (crossing or traveling within)?       Yes      No

List all public right of way that will be used during the event:

City Streets \_\_\_\_\_  
 Spiral Blvd, planning on walking down this street for part of the 3K

Trails/Sidewalks \_\_\_\_\_  
 Veterans Park, Vermillion Falls Park  
 the trails that go by these two parks, shown in our route map

County Roads \_\_\_\_\_

State Road \_\_\_\_\_

Other Right of Way \_\_\_\_\_

Have you received approval for the use of any County or State right-of-way?      Yes      No      Not applicable

Does the route require the closing or partial closing of any streets, intersections or crossings?      Yes      No

If yes, please describe: \_\_\_\_\_  
 \_\_\_\_\_

(The City of Hastings reserves the right to require street closings)

Please include a detailed map showing the proposed route. The route map must show what roadways, trails and sidewalks will be used and the direction the participants will travel. All street names must be clearly labeled.

**Event Safety Information**

Number of volunteers assisting with the event:

Do you have a contingency plan if volunteers don't show up?      Yes      No

If yes, please summarize: \_\_\_\_\_  
 \_\_\_\_\_

Is the promoter aware of any problems that may arise during the event?      Yes      No

If yes, please summarize: \_\_\_\_\_  
 \_\_\_\_\_

Have arrangements been made for emergency medical services?      Yes      No

If yes, please summarize: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Will alcohol be served or sold at the event?      No      Yes (a temporary beer or liquor license is required)

Will there be a raffle or other regulated gambling activity at the event?      No      Yes (a temporary gambling permit is required)

Will the event include the sale of any products or services?      No      Yes (please provide a list of your approved event vendors):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Will the event include the sale of any food or beverages?      No      Yes (health department permits are required, please provide a list of your approved food vendors):

\_\_\_\_\_

**Event Signage and Sound Information**

Please include a route map detailing where all DIRECTIONAL signage will be placed for the event.

Please include a map detailing where all signs ADVERTISING the event will be placed.

Will any sound amplification equipment be used at the event? Yes No

If yes, please describe where in the event area the equipment will be used and what time the equipment will be used:

**Insurance Information**

Insurance coverage shall be maintained for the duration of the event with a minimum \$1,000,000 combined single limit and a minimum \$2,000,000 aggregate limit. If food or non-alcoholic beverages are sold or provided at the event the insurance policy shall also include an endorsement for product liability in an amount not less than \$1,000,000. Proof of insurance coverage must be provided at least 5 days prior to the event.

I have read and agree to all ordinances and rules associated with this special event permit. I certify that the answers are true and correct to the best of my knowledge.

Anna Helget-staff at Animal Ark

3/30/23

Signature

Date

Please return completed form to Paige Marschall-Bigler at [pmarschall@hastingsmn.gov](mailto:pmarschall@hastingsmn.gov) or mail in to Parks Department 920 10<sup>th</sup> St W, Hastings MN 55033. Call 651-480-6182 with any questions.

**OFFICE USE ONLY**

Date application submitted: \_\_\_\_\_

Date application approved by CC: \_\_\_\_\_

Required resources:

- Police Reservists: \_\_\_\_\_

- Equipment: \_\_\_\_\_


- City staff: \_\_\_\_\_


Insurance information received: \_\_\_\_\_


Licenses/permits obtained: \_\_\_\_\_




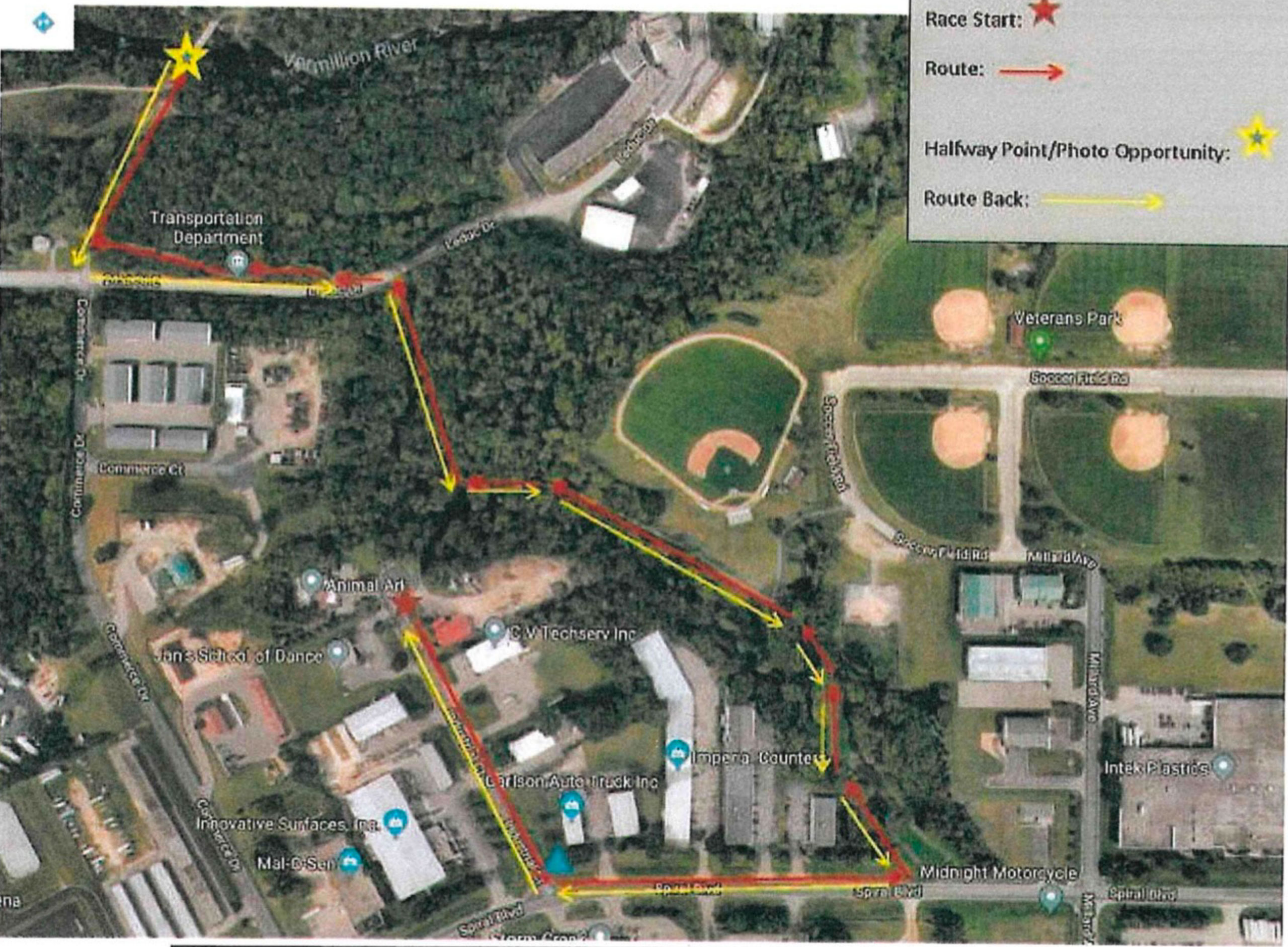
3K Walk Key

Race Start: 

Route: 

Halfway Point/Photo Opportunity: 

Route Back: 



• Please follow the outlined map and look for volunteer checkpoints along the way.

Industrial Ct. to Spiral Blvd - turning left- Spiral Blvd to Millard Ave - turn left onto the trail - follow trail to Leduc Drive - turn left - follow trail running parallel to 21st Street E to Commerce - take a right and enter Vermillion Falls- follow the trail to bridge - endpoint - turning around to take the same route back to shelter.



Liquor vendors

Vendors

Vendors

Vendors

Breakfast table

Vendors

Vendors

Vendors

Registration

DJ

Food  
Food  
Food  
Food

Eating area

port a pot



Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division  
445 Minnesota Street, Suite 1600, St. Paul, MN 55101  
651-201-7507 TTY 651-282-6555

VIII-05

**APPLICATION AND PERMIT FOR A 1 DAY  
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization	Date of organization	Tax exempt number		
<input type="text"/>	<input type="text"/>	<input type="text"/>		
Organization Address (No PO Boxes)	City	State	Zip Code	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Name of person making application	Business phone	Home phone		
<input type="text"/>	<input type="text"/>	<input type="text"/>		
Date(s) of event	Type of organization	<input type="checkbox"/> Microdistillery	<input type="checkbox"/> Small Brewer	
<input type="text"/>	<input type="checkbox"/> Club	<input type="checkbox"/> Charitable	<input type="checkbox"/> Religious	<input type="checkbox"/> Other non-profit
Organization officer's name	City	State	Zip Code	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Organization officer's name	City	State	Zip Code	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Organization officer's name	City	State	Zip Code	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	

Location where permit will be used. If an outdoor area, describe.

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

**APPROVAL**

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license	Date Approved
Fee Amount	Permit Date
Event in conjunction with a community festival <input type="checkbox"/> Yes <input type="checkbox"/> No	City or County E-mail Address
Current population of city	
Please Print Name of City Clerk or County Official	Signature City Clerk or County Official

**CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event  
No Temp Applications faxed or mailed. Only emailed.**

**ONE SUBMISSION PER EMAIL, APPLICATION ONLY.**

**PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY  
PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY  
CITY/COUNTY TO [AGE.TEMPORARYAPPLICATION@STATE.MN.US](mailto:AGE.TEMPORARYAPPLICATION@STATE.MN.US)**

*City Council Memorandum*

**To: Mayor Fasbender & City Councilmembers**  
**From: Emily King, Deputy City Clerk**  
**Date: April 17, 2023**  
**Item: 1<sup>st</sup> Reading: Ordinance Amendment – Chapters 110.17 - Lawful Gambling and Chapter 34.03 - Fee Schedule**

**Council Action Requested:**

Consider 1<sup>st</sup> Reading of the amendments to Hastings City Code Chapters 110.17 and 34.03, regarding lawful gambling and related licensing fees.

**Background Information:**

The proposed amendments focus on keeping more of the lawful gambling net profits in the City by increasing the Trade Area requirement and initiating a Charitable Contribution Fund. Proposed amendments also increase the initial investigation fee and implement an annual renewal fee for Lawful Gambling Premise Permits. Additional edits to this ordinance are in an effort to reflect statutory changes.

The Administrative Committee of the Council met on Monday, April 10<sup>th</sup> to review proposed amendments to the lawful gambling ordinance and licensing fees. The Administrative Committee supported increasing the Trade Area requirement from 50% to 75%. Of that, 10% will be met by a quarterly contribution to the Charitable Contribution Fund that would be administered by the City in accordance with State regulations. Recommendations were also made to increase the initial investigation fee from \$150.00 to \$250.00 and implement an annual renewal fee of \$150.00. The proposed ordinance amendment includes recommendations for an implementation date of July 1, 2023 for the Trade Area requirement change and Charitable Contribution fund. License renewal and associated fees will be implemented January 1, 2024 with licenses for lawful gambling premise permits effective for a one year period and terminate on December 31 of each year.

**Financial Impact:**

Licensing revenue will increase and funds derived from the Charitable Contribution Fund can be used in accordance with State regulations.

**Advisory Commission Discussion:**

N/A

**Council Committee Discussion:**

The Administrative Committee of Council met on April 10<sup>th</sup> to discuss the proposed ordinance amendments.

**Attachments:**

- Ordinance Amendment
- Fee Schedule

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE FOR THE CITY OF HASTINGS, MINNESOTA, AMENDING  
HASTINGS CITY CODE CHAPTER 110.17 REGARDING LAWFUL GAMBLING

The City Council of the City of Hastings, Dakota County, Minnesota, does hereby ordain as follows:

**SECTION 1. AMENDMENT.** The Code of the City of Hastings, County of Dakota, State of Minnesota, Chapter 110.17, regarding lawful gambling shall be amended as follows:

**110.17 Lawful Gambling**

A. *Purpose.* The purpose of this section is to regulate and control the conduct of lawful gambling (gambling) in the City of Hastings and to ensure that charitable gambling in the City is conducted by organizations licensed or exempt from licensing under Minnesota Statutes and that the proceeds from such gambling are used primarily for the betterment of the residents and businesses of the community. profits derived therefrom in the City of Hastings (City) are devoted to worthy public and private projects which benefit the community.

B. *Definitions.*

In addition to the definitions contained in the Minnesota Statutes §349.12, as it may be amended from time to time, the following terms are defined for purposes of this chapter:

Board. The State of Minnesota Gambling Control Board

Lawful Gambling. The operation, conduct, or sale of bingo, electronic gambling equipment, raffles, paddlewheels, tipboards, and pull-tabs. These are the only forms of gambling (other than horse racing, private social bets, and the State lottery) which may be conducted in the City. “Lawful Gambling” does not include casino nights, razzle dazzle games, or other games such as slot machine, roulette wheels, and crap games.

Net Profit. The gross receipts from the operation of gambling equipment and the conduct of raffles, less reasonable sums expended for allowable expenses.

Organization. Any fraternal, religious, veterans’ or other nonprofit group which has at least fifteen (15) active members and has been in existence for the most recent three (3) years preceding the license application as a registered Minnesota nonprofit corporation or as an organization designated as exempt from the payment of income taxes by the Internal Revenue Code. In addition, the organization must not be in existence solely for the purpose of conducting gambling.

Premises Permit. A permit issued to a licensed organization for the purpose of lawful gambling at a specific site within the City of Hastings.

Trade Area. Pursuant to M.S. § 349.213, the city's trade area is defined to be all areas within the city's corporate boundaries and the boundaries of all cities and townships contiguous to the city at the time of expenditure. The City of Hastings and Townships of Denmark, Marshan, Nininger, and Ravenna constitute the Trade Area.

~~B.C.~~ *Prohibition Of Gambling.* No person shall conduct gambling within the city except those organizations which have obtained a premise permit from the Gambling Control Board of Minnesota and have complied with this section.

~~C.D.~~ *Lawful Gambling Permitted.*

1. Lawful gambling is permitted in the city if the organization conducting the gambling meets the following criteria:
  1. Is licensed by the Minnesota Gambling Control Board;
  2. Is a tax-exempt organization pursuant to 501(c) of the Internal Revenue Code or has a 501(c) application pending with the Internal Revenue Service; and/or
  3. Has been in continuous existence holding meetings as a non-profit corporation or as a 501(c) tax-exempt organization for at least 3 or more consecutive years prior to the approval of the license.
2. The maximum number of locations where lawful gambling may be conducted within the city is 18. Council shall, by resolution, establish the maximum number of locations in the city where one organization can conduct lawful gambling. Non-local organizations that are conducting lawful gambling in the city on the effective date of this section, may continue to do so. Once a non-local organization, however, stops conducting lawful gambling in the city, it must thereafter, comply with the requirements of this section.

~~D.E.~~ *Approval Of Premises Permit. Initial Application and Local Approval of Premises Permit.*

1. Any organization applying to the City Council for a premises permit, renewal of a premises permit, bingo hall license or renewal of a bingo hall license shall file the following information with the City Clerk at the time of the application:
  - ~~1.~~ A duplicate copy of the application submitted to the Minnesota Gambling Control Board, along with all supporting documents;
  - ~~1.2.~~ City of Hastings Lawful Gambling Premises Permit Application, along with all supporting documents;
  - ~~2.3.~~ A copy of the articles of incorporation and bylaws of the organization;
  - ~~3.4.~~ The names and addresses of all officers and directors of the organization and the gambling manager;
  - ~~4.5.~~ A copy of the organization's written procedures and/or criteria for distribution of funds derived from lawful gambling, its standardized application form, and its written fiscal control procedures;
  - ~~5.6.~~ A copy of the Internal Revenue Service's tax-exempt letter;
  - ~~6.7.~~ The applicant's federal and state employer identification numbers; and
  - ~~8.~~ Other information the city deems necessary to carry out the purposes of this section.
2. Renewal Applications. All licenses issued shall be for a one (1) year period and terminate on December 31 of each year, regardless of when the license was issued. Applications for the renewal of an existing license shall be made in a timely fashion and shall be made on the forms required by the City and the Minnesota Gambling Control Board, and shall state whether everything in the prior, original, master application remains true and correct, except as otherwise indicated. If, in the judgement of the City Council, good and sufficient cause is shown by any applicant for its failure to file for a renewal

within the time provided, the Council may, if the other provisions of this chapter are complied with, accept the application.

- 3. Upon receipt of the materials required by division (D)(1)(a) above, city staff shall investigate the applicant and make a recommendation for approval or denial of the application. The City Council shall approve or disapprove an application for a premise permit or bingo hall license by resolution. ~~Copies of any other reports or documents which are required to be subsequently filed by the organization with the Gambling Control Board, including monthly financial statements, shall be filed simultaneously with the City Clerk.~~

3.4. Notification of Material Changes to Application. An organization holding a Premises Permit must notify the City Clerk in writing within 10 days whenever any material change is made in the information required by division (D)(1) above.

5. License and Permit Display. All permits issued under state law or this chapter shall be prominently displayed during the permit year at the premises where gambling is conducted and to show to law enforcement officers upon request.

4.6. Inspections. All licensed organizations are deemed to have consented to inspection of the licensed premises by the City.

F. Investigation Fees. Organizations applying for or renewing a license to conduct lawful gambling in the City of Hastings shall pay an investigation fee as established by ordinance. This fee shall be paid at the time the application is submitted to the City Clerk.

G. Contribution of Net Profits to Fund Administered by City.

- 1. Each organization licensed to conduct lawful gambling in the City pursuant to M.S. § 349.16, as it may be amended from time to time, shall contribute ten percent (10%) of its net profits derived from lawful gambling in the City to a fund administered and regulated by the City without cost to the fund.
- 2. The required payment under this section shall be made quarterly no later than 30 days following the just ended quarter.
- 3. The funds must be disbursed by the City for (i) charitable contributions as defined in M.S. § 349.12, subd. 7a, or (ii) police, fire, and other emergency or public safety-related services, equipment, and training, excluding pension obligations.
- 4. The City's use of such funds shall be determined at the time of adoption of the City's annual budget or when the budget is amended.
- 5. An organization that chooses to expend its net profits on disaster relief pursuant to Minn. Stat. §349.15, Subd. 1a, is exempt from the requirements in Section G.1-4.

E.H. Lawful Expenditure Requirement.

- 1. Pursuant to the authority granted by M.S. § 349.213, as it may be amended from time to time, any organization conducting lawful gambling within the city must spend at least ~~50%~~ 75% of its expenditures for lawful purposes conducted or located within the city's trade area. ~~The city's trade area is defined to be all areas within the city's corporate boundaries and the boundaries of all cities and townships contiguous to the city at the time of expenditure.~~
- 2. The requirements imposed by this subdivision shall be effective for all expenditures for lawful purposes made after ~~3-1-2008~~ 07/01/2023.

~~F.I. Exclusions and Exemptions.~~ Exclusions for certain bingo games and raffles and exemptions for certain organizations are governed by M.S. § 349.166, as it may be amended from time to time.

~~1. The following bingo and raffle activities are exempt from the lawful gambling requirements of this section:~~

- ~~1. Bingo may be conducted without a premise permit if it is in connection with a civic celebration and if it is not conducted for more than four consecutive days in a calendar year. A civic celebration is an event that celebrates a recognized national holiday or occasion celebrating an event proclaimed by the Hastings City Council.~~
- ~~2. Bingo may be conducted without a premise permit if it is conducted by an organization that conducts 4 or fewer bingo occasions in a calendar year.~~
- ~~3. Bingo may be conducted without a premises permit within a nursing home, senior citizens home, or by a senior citizen organization if the prizes for a single game do not exceed \$10, total prizes awarded at a single occasion do not exceed \$200, no more than 2 occasions are held each week, only members or residents are allowed to play, no compensation is paid for persons conducting the bingo, and a manager is appointed who is registered with the Gambling Control Board.~~
- ~~4. Raffle may be conducted without a premise permit if it is conducted by an organization and if the value of all raffle prizes awarded in a calendar year does not exceed \$750; or if the raffle is conducted by a tax-exempt health or social service organization under contract to the state or a political subdivision and the prizes awarded are real or personal property donated by an individual, firm, or other organization.~~
- ~~5. Lawful gambling may be conducted within the city without a premise permit if the organization conducts a gambling on five or fewer days in a calendar year, does not award more than \$50,000 in prizes in a calendar year, receives prior City Council approval and receives an exemption from the Gambling Control Board.~~

~~2. An application for an exemption from the provisions of this section, together with a fee established by ordinance, shall be submitted to the City Clerk at least 30 days prior to the date that an exempt gambling activity is to be conducted. The application shall contain the following information:~~

- ~~1. The name and address of the organization;~~
- ~~2. The place where the gambling will occur;~~
- ~~3. The total value of prizes to be awarded; and~~
- ~~4.1. The dates the proposed exempt gambling will occur.~~

~~J. Within 30 days of filing any reports with the Gambling Control Board, the organization shall file a copy of the same reports with the City Clerk. *Records and Reports.*~~

~~1. Every organization permitted to conduct lawful gambling in the City shall file with the City Clerk copies of all records and reports required to be filed with the Minnesota Gambling Control Board pursuant to Minn. Stat. § 349. The records and reports shall be due at the same time they are due to the Board. The gambling manager of a licensed organization shall be exclusively responsible for the timely filing of all reports and other documents required by this chapter.~~

~~2. Licensed organizations shall file an annual report with the City proving compliance with the trade area spending requirements and charitable contribution fund imposed by sections G and H of this chapter. The report shall be submitted within sixty (60) days of December 31 and shall report proceeds received during the just ended calendar year.~~



K. Video Games Of Chance. Video games of chance as defined by M.S. § 609.75, subd. 8 Minnesota Statutes are prohibited in the city.

G.L. Violations.

a. The City Council may revoke the premises permit where the organization has failed to meet the reporting requirements.

a.b. Violation of this ordinance may impact future renewals.

**SECTION 2. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The text amendment adopted by the Hastings City Council on \_\_\_\_\_, 2023 amends the City Ordinance to allow the City to require any organization conducting lawful gambling within the city to spend at least seventy-five percent (75%) of its net profits for lawful purposes within the city’s trade area, with ten percent (10%) of said net profits to be delegated to the City’s charitable contribution fund.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mary D. Fasbender, Mayor

Attest:

\_\_\_\_\_  
Kelly Murtaugh, City Clerk

Published in the Hastings Journal on \_\_\_\_\_, 2023.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA  
AMENDING HASTINGS CITY CODE CHAPTER 34.03 – FEE SCHEDULE**

The City Council of the City of Hastings, Dakota County, Minnesota does hereby ordain as follows:

**SECTION 1. AMENDMENT.** The Code of the City of Hastings, County of Dakota, State of Minnesota, Chapter 34.03 Fee Schedule – City Clerk

**34.03 City Clerk**

<b>Gambling</b>		
Investigation Fee	<del>\$150.00</del> <u>\$250.00</u>	<del>One-Time</del> <u>Initial Application</u>
<u>Premise Permit Renewal</u>	<u>\$150.00</u>	<u>Annual</u>

**SECTION 2. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The text amendment adopted by the Hastings City Council on \_\_\_\_\_, \_\_\_\_\_ modifies Section 34.03 - Fee Schedule of the City Code regarding the amendment of initial investigation fees and adoption of an annual renewal fee for Lawful Gambling Premise Permits.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the Hastings City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by the following vote:

Ayes:

Nays:

Absent:

\_\_\_\_\_  
Mary D. Fasbender, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Murtaugh, City Clerk

I hereby certify that the above is a true and correct copy of the Ordinance passed to and adopted by the City of Hastings, County of Dakota, Minnesota, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, as disclosed by the records of the City of Hastings on file and of record in the office.

Published in the Hastings Journal on \_\_\_\_\_.



*City Council Memorandum*

**To: Mayor Fasbender & City Council Members**  
**From: Emily King, Deputy City Clerk**  
**Date: April 17, 2023**  
**Item: Conduct Public Hearing and Consider Application for Parklet for Quarry Restaurant LLC dba Quarry Taphouse**

**Council Action Requested:**

Hold a public hearing to consider approval of the proposed Parklet application for Quarry Restaurant LLC dba Quarry Restaurant, 106 2<sup>nd</sup> Street East.

City Departments including Building, Planning, Police, Fire, and Engineering have reviewed the proposed Parklet application and amended liquor license and recommends approval.

**Background Information:**

Sara Stenger of Quarry Restaurant LLC dba Quarry Restaurant, has submitted the required application and documents for the Parklet license. The applicant wishes to operate the parklet Monday-Sunday, Monday – Thursday: 11:00 a.m. – 9:00 p.m., Friday/Saturday: 11:00 a.m. – 10:00 p.m. and Sunday 11:00 a.m. – 8:00 p.m. License will be issued upon receiving all required insurance documents and inspection by the Hastings Fire Marshal and Building Official.

Property owners within 350 feet of the property requesting the parklet were mailed a notice of the request and the scheduled public hearing.

**Financial Impact:**

N/A

**Advisory Commission Discussion:**

N/A

**Council Committee Discussion:**

N/A

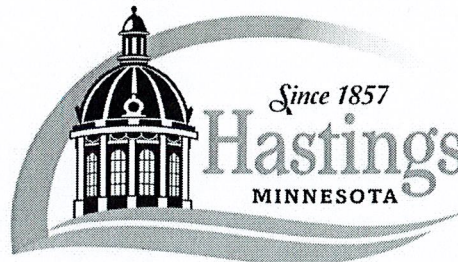
**Attachments:**

- Application

# New Parklet

## Application

City Code Chapter 90.17



IX-01

**Fees:**

- License \$100.00
- Liquor License (If serving liquor in the parklet) \$50.00

**Contact Information**

BUSINESS INFORMATION	Name: Quarry Restraunt - DBA Quarry Taphouse
	Address: 106 2nd St E Hastings 55033
	Phone: 651-346-1344

CONTACT PERSON INFORMATION	Name: Sara Stenger
	Phone: 507-581-3668
	Address: 788 S Park Dr Hastings, MN 55033
	Email: Sara@quarrytaphouse.com

**Parklet Description**

Days of Parklet Operation: Mon - Sun	Hours of Parklet Operation:
Description of all points of access between the building and the parklet and exterior areas. Emergency Exit door @ front of 108 building will be open to the parklet opening.	
Describe the fencing/barrier to denote parklet area. See attached drawing of parklet construction. Wood fencing on 3 sides.	
Description of ingress and egress arrangements including those necessary to provide handicap accessibility and to ensure safety of moveable seating arrangements. Side of parklet facing sidewalk is open (no fence/barrier)	
Description of all physical improvements to be constructed to accommodate the parklet. Parklet was constructed 3 years ago and is currently in storage. No additional improvements will be made.	
Describe any entertainment or music. No scheduled entertainment at this point. May place wireless speaker for ambient music while dining.	
Describe any additional lighting. String lights will be hung between posts	

Any other information and details:

IX-01

Metal chairs and tables (used previously) will be used in parklet. Flowers will be planted in boxes topping the street side of fencing barrier.

Will alcoholic beverages for consumption be offered in the parklet? NO \_\_\_ YES  (If yes, please complete the next section.)

**Parklet to Serve Alcohol (Liquor License Amendment)**

Will alcoholic beverages be served in the entirety of the parklet? NO \_\_\_ YES  If no, specify where alcohol will be served?

Days and hours of alcohol service: Sun 11am to 8pm Mon-~~Thur~~ Thur 11am to 9pm Fri/Sat 11am to 10pm

Has staff received required alcohol training: NO \_\_\_ YES \_\_\_

Procedure ensuring alcohol will be contained in parklet:

Signs indicating alcohol must be kept in parklet area and staff will be trained to direct customers to keep drinks in parklet.

**Other Required Documents**

- Parklet diagram
  - Refer to City Code Section 90.17(G)(2)(a) for required diagram specifications
- Photographs and manufacturer specifications for all proposed parklet furniture and fixtures.
- Certificate of Insurance
  - All proofs of insurance must include in the description:
  - City of Hastings is included as an additional insured. A 10-day cancellation notice is included as part of the policy.
  - If serving alcohol, the following must be included in the description: Coverage extends to adjacent sidewalk and off premises events.
- Food and Beverage Menu

**Application Checklist**

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Application Form
Proposed parklet diagram including furniture specifications.
Food and beverage menu
Proposed sound or entertainment
Ordinance Review Form
Certificate of insurance. <i>All proofs of insurance must include in the description:</i> <ul style="list-style-type: none"><li>• City of Hastings is included as an additional insured. A 10-day cancellation notice is included as part of the policy.</li></ul> <i>If serving alcohol, the following must be included in the description:</i> <ul style="list-style-type: none"><li>• Coverage extends to adjacent sidewalk and off premises events.</li></ul>
\$100.00 Application Fee
\$50.00 Liquor License Amendment Fee (if applicable)

**Data Practices Notice**

Every city in Minnesota must comply with the Minnesota Government Data Practices Act (MGDPA), which, in conjunction with other state and federal laws, classifies all government data. Government data are classified in different categories depending on whether they are accessible by the public.

Government data means all data collected, created, received, maintained or disseminated by the City regardless of its physical form, storage media or conditions of use. There is a presumption that government data are public and are accessible by the public for inspection and copying unless there is a federal law, state statute or temporary classification of data that provides differently.

The data supplied in this application will be used to assess the qualifications for a license. This data is not legally required but the City will not be able to grant the license without it. If a license is granted, the data will constitute a public record. The data is needed to distinguish this application from others, to identify this application in city license files, to verify the identity of the applicant, to contact the applicant if additional information is required and to determine if the applicant meets all ordinance requirements.

*I hereby certify that all statements made in this application are true and complete and understand that any misstatements or omissions of material facts may result in disqualification or denial of the license. I agree to abide by the provisions of this application and all applicable City policies and ordinances.*

Signature: Sam Stenger Date: 2/22/23

**City of Hastings  
Acknowledgement of  
Review of Ordinance**

I hereby acknowledge that I have read, understand and agree to abide by the regulations set forth in the City's Ordinance associated with the license for which I am applying. Furthermore, I also understand that I must comply with the provisions of all applicable state laws.

Sara Stenger  
Applicant Signature

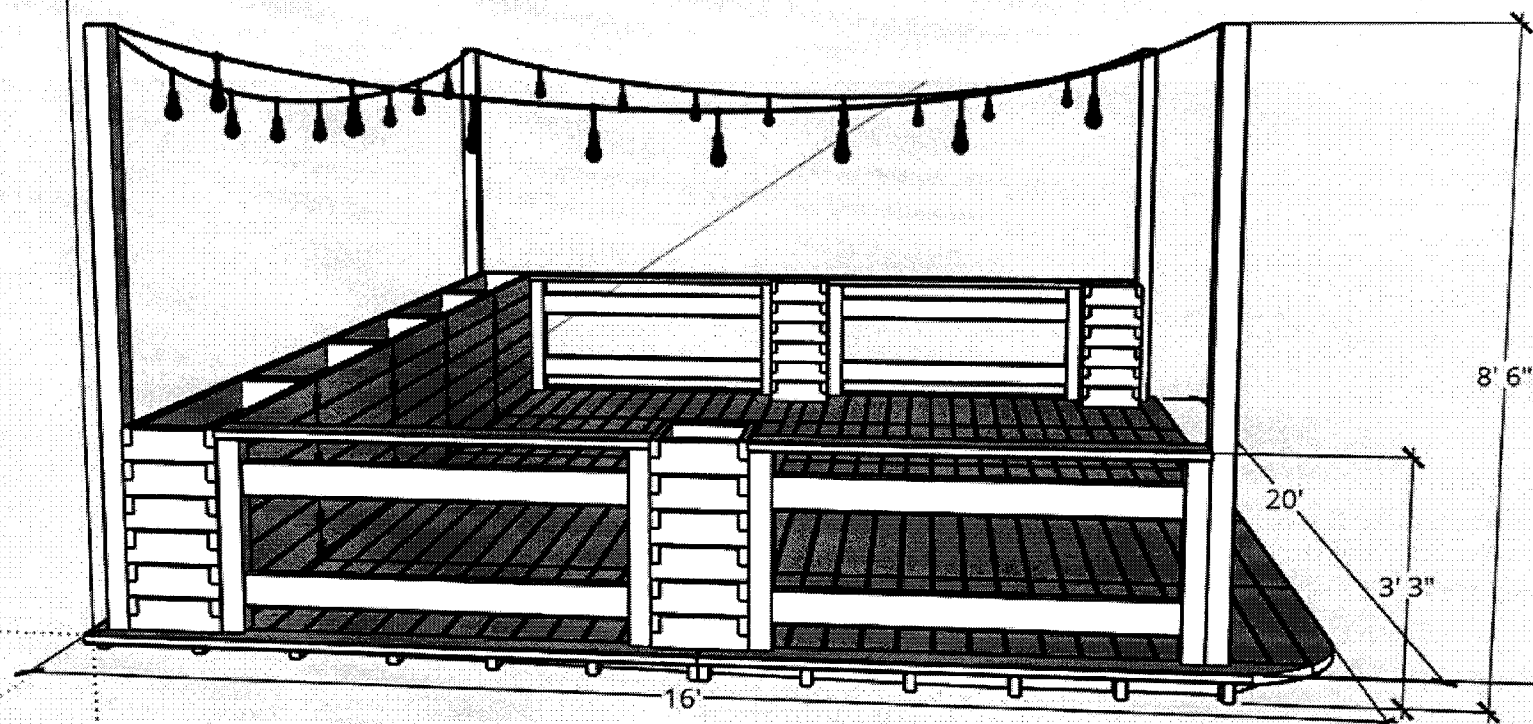
2/22/23  
Date



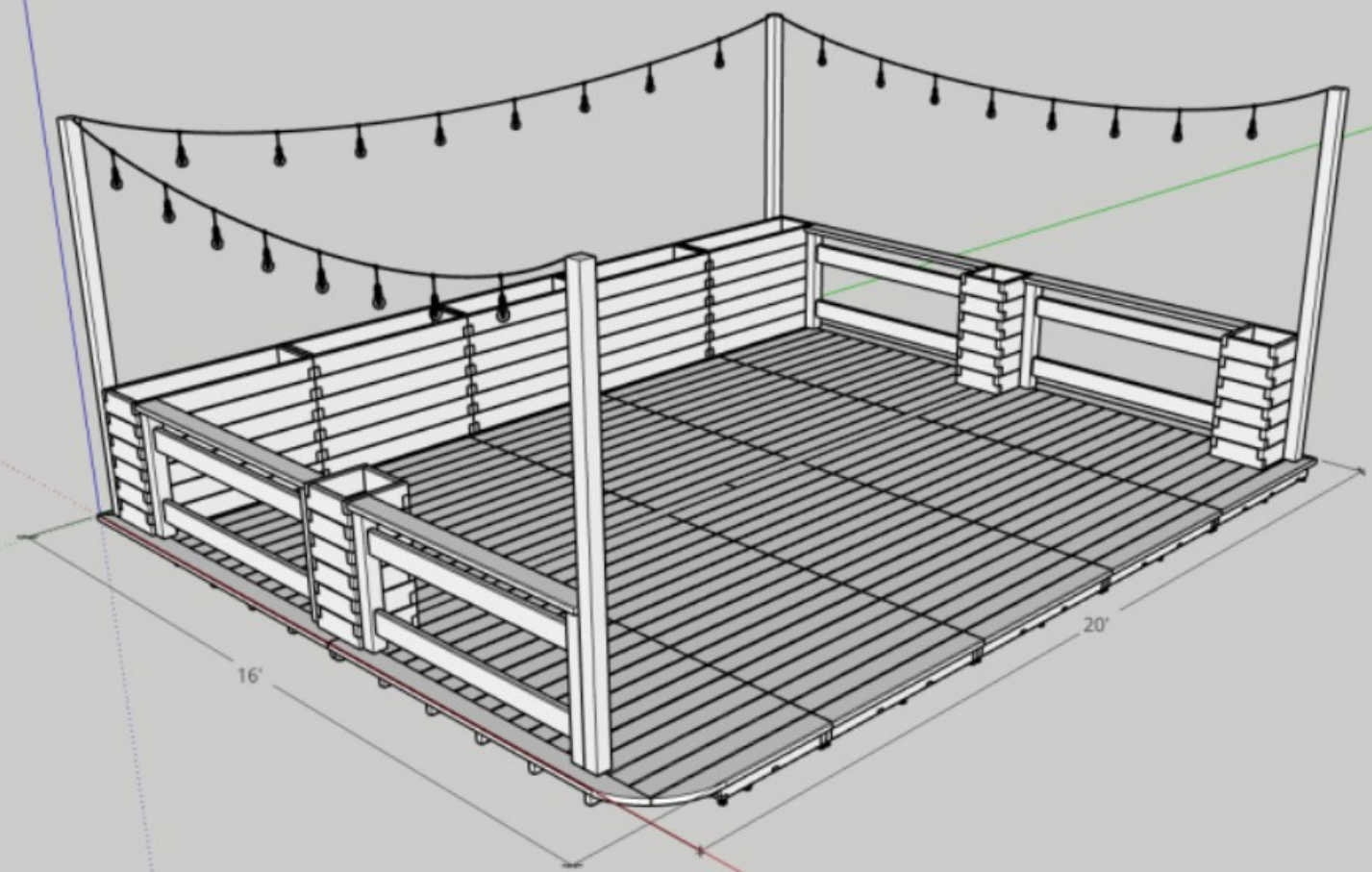
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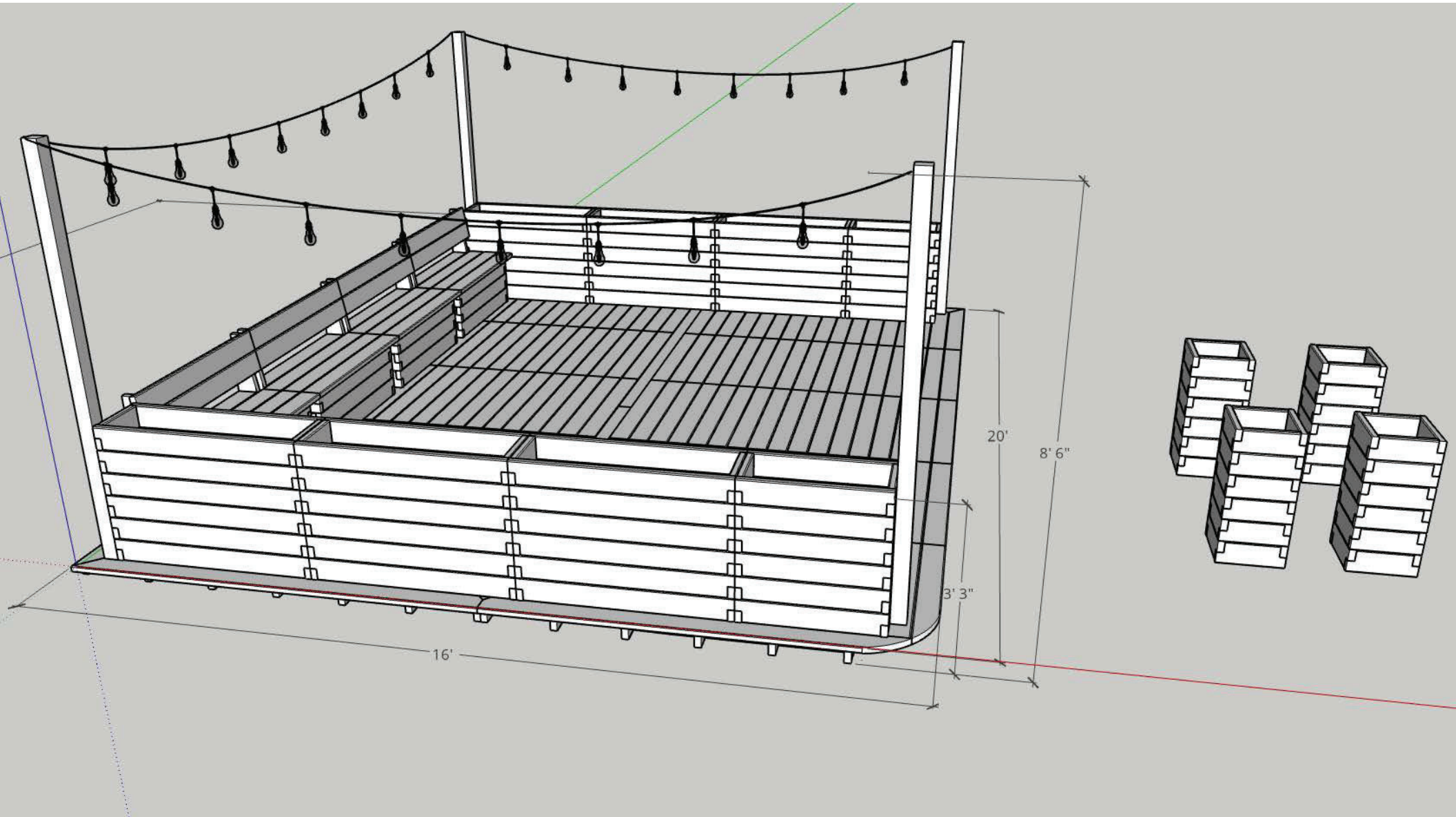


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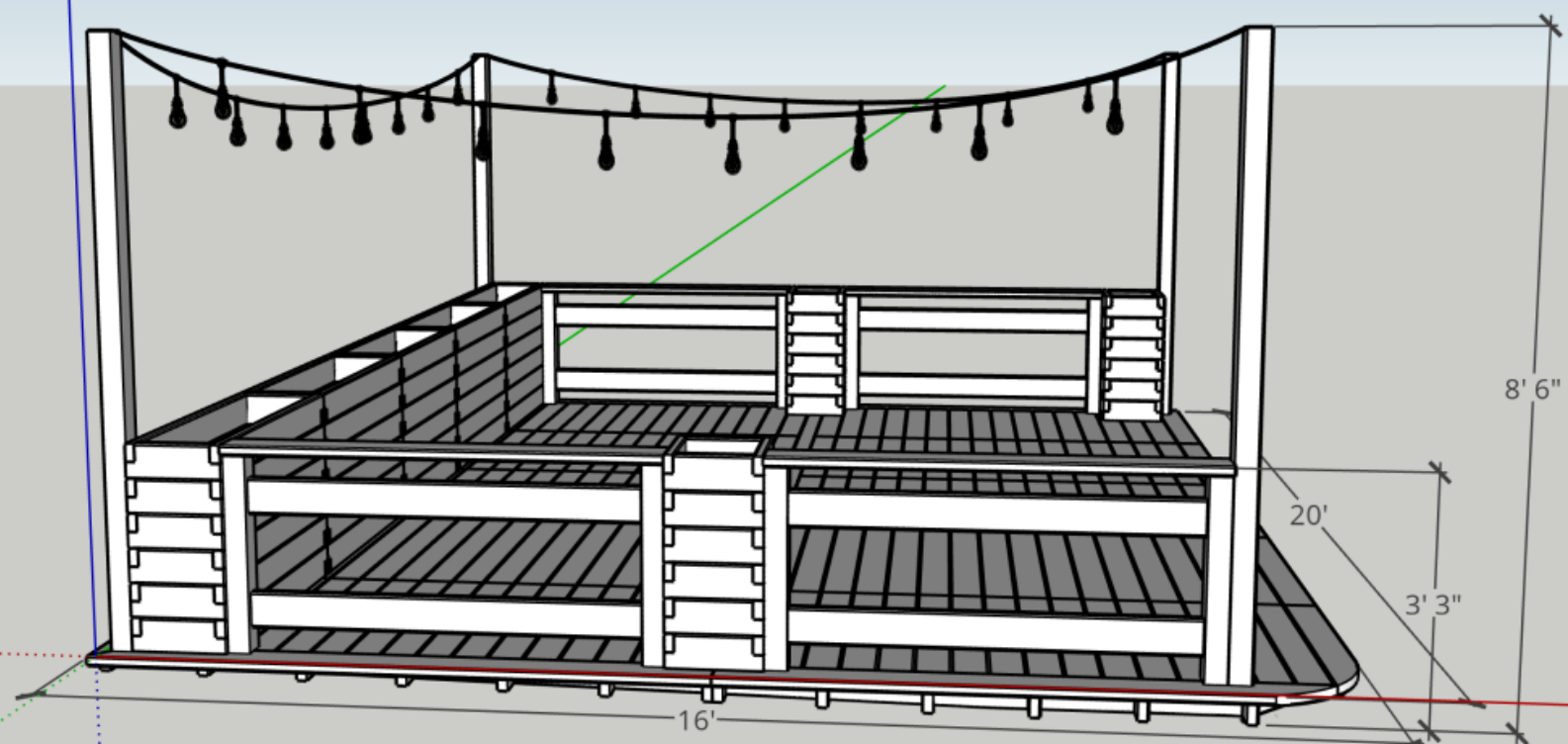


IX-01





IX-01





*City Council Memorandum*

**To:** Mayor Fasbender & City Councilmembers  
**From:** John Hinzman, Community Development Director  
**Date:** April 17, 2023  
**Item:** Ordinance Amendment – Escrows and Fees

**Council Action Requested:**

Consider the following actions amending the Hastings City Code pertaining to escrows and fees:

- 1) Hold a public hearing, consider 2<sup>nd</sup> reading\ordinance adoption: City Code Chapter 34.03 - Fees
- 2) Hold a public hearing, consider 2<sup>nd</sup> reading\ordinance adoption: City Code Chapter 154 – Subdivision Ordinance
- 3) Consider 2<sup>nd</sup> reading\ordinance adoption: City Code Chapter 155 – Zoning Ordinance (public hearing held at Planning Commission)

The City Council considered 1<sup>st</sup> reading of the above actions at the April 3, 2023 meeting. A simple majority is necessary for action.

**Background:**

The amendments accomplish the following:

- Delete specific fees in each code with Chapters 154 and 155. All fees are already included in Chapter 34.03.
- Establish more specific requirements for escrows including use and replenishment of funds, final payments and return of unused funds to the applicant.
- Establish a uniform \$5,000 escrow for annexation, environmental assessment, site plan, and preliminary plat actions.

**Financial Impact:**

Adoption of the amendment would better ensure the payment of development related expenses by the applicant.

**Advisory Commission Discussion:**

The Planning Commission reviewed changes to Chapter 154 and 155 at the March 27, 2023 meeting with limited discussion. No one from the public spoke during the public hearing.

**Council Committee Discussion:**

N/A

**Attachments:**

- Ordinance Amendment – Chapter 34.03
- Ordinance Amendment – Chapter 154
- Ordinance Amendment – Chapter 155
- Planning Commission Staff Report – March 27, 2023

**ORDINANCE NO. 2023-****AN ORDINANCE FOR THE CITY OF HASTINGS, MINNESOTA AMENDING HASTINGS CITY CODE CHAPTER 34.03 – FEES SCHEDULE REGARDING ESCROWS**

The City Council of the City of Hastings, Minnesota does hereby ordain as follows:

**SECTION 1. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 34, Section 34.03, Fee Schedule shall be amended as follows with language added being underlined and language deleted being ~~stricken~~:

**34.03 FEE SCHEDULE**  
**Community Development**

Annexation	\$500 + <del>\$3,000</del> <u>5,000</u> escrow
Environmental Assessment	\$500 + <del>\$3,000</del> <u>5,000</u> escrow
<b>Site Plan</b>	
<b>Residential</b>	<del>\$500 + escrow</del>
<del>8 units or less</del>	<del>\$2000.00</del>
<del>9-40 units</del>	<del>\$3,250.00</del>
<del>41 + units</del>	<del>\$4,500 based on building square footage</del>
<b>Site Plan</b>	
<b>Commercial</b>	<del>\$500 + escrow</del>
<del>0-5000 SF</del>	<del>\$2000.00</del>
<del>5001-10,000 SF</del>	<del>\$3,000.00</del>
<del>10,001 – 50,000 SF</del>	<del>\$3,750.00</del>
<del>50,001 + SF</del>	<del>\$4,500.00</del>
<u>Site Plan</u>	<u>\$500.00 + \$5,000 escrow</u>
<b>Preliminary Plat</b>	<del>\$500 + escrow</del>
<del>Under 10 acres</del>	<del>\$3,500.00</del>
<del>10 + acres</del>	<del>\$6,500.00</del>
<b>Preliminary Plat</b>	<u>\$500.00 + \$5,000 escrow</u>

**SECTION 2. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.



The text amendment adopted by the Hastings City Council on April 17, 2023 modifies the City Fee Schedule pertaining to Community Development escrows.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 17<sup>th</sup> day of April, 2023

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Mary Fasbender, Mayor

Attest:

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Kelly Murtaugh, City Clerk

Published in the Hastings Journal on April 20, 2023

**ORDINANCE NO. 2023-**

**AN ORDINANCE FOR THE CITY OF HASTINGS, MINNESOTA AMENDING  
HASTINGS CITY CODE CHAPTER 154 – SUBDIVISION ORDINANCE REGARDING  
ESCROWS AND FEES**

The City Council of the City of Hastings, Minnesota does hereby ordain as follows:

**SECTION 1. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 154, Section 154.11, Fees shall be stricken in its entirety and replaced with the following language:

**154.11 Fees**

- A. **Generally.** The fees to be paid for each application shall be as prescribed in City Code Chapter 34.03. They are reviewed annually by the City Council. Fees shall be payable at the time applications are filed with the Community Development Director and are not refundable unless application is withdrawn prior to legal publication and notice. There shall be no fee in the case of applications filed in the public interest by City Council or by the Planning Commission. Fees shall include application fees, filing fees, consultant, legal, planning and engineering fees and/or escrow fees. Fees for actions not prescribed in City Code Chapter 34.03 may be levied by the city provided they are fair, reasonable, and proportionate and have a nexus to the actual cost of the service for which the fee is imposed.
  
- B. **Escrow Payment.** Certain applications require payment of an escrow as stipulated in City Code Chapter 34.03. The escrow fee shall be used to pay any outside expenses and fees incurred by the City, including, but not limited to consultants, attorneys, planning and engineering fees or other expenses due to the application. If, at any time, the balance in the cash escrow account is depleted to less than ten percent (10%) of the originally required cash escrow amount, the applicant shall deposit additional funds in the cash escrow account as determined by the Community Development Director. All expenses and fees in excess of the escrow deposit, shall be paid by the applicant to the City within thirty (30) days of final action on the matter by the City. If not paid within thirty (30) days, the account shall be deemed delinquent. Any balance remaining in the cash escrow account upon completion of the process shall be returned to the applicant after all expenses and fees thereto have been deducted, following final action by the City in the matter.

**SECTION 2. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The text amendment adopted by the Hastings City Council on April 17, 2023 modifies the City Ordinance to regulate the collection of fees and escrows.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 17<sup>th</sup> day of April, 2023

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Mary Fasbender, Mayor

Attest:

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Kelly Murtaugh, City Clerk

Published in the Hastings Journal on April 20, 2023

**ORDINANCE NO. 2023-**

**AN ORDINANCE FOR THE CITY OF HASTINGS, MINNESOTA AMENDING  
HASTINGS CITY CODE CHAPTER 155 – ZONING ORDINANCE REGARDING  
ESCROWS AND FEES**

The City Council of the City of Hastings, Minnesota does hereby ordain as follows:

**SECTION 1. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 155, Section 155.59, Zoning Fees shall be stricken in its entirety and replaced with the following language:

**155.59 Fees**

- A. **Generally.** The fees to be paid for each application shall be as prescribed in City Code Chapter 34.03. They are reviewed annually by the City Council. Fees shall be payable at the time applications are filed with the Community Development Director and are not refundable unless application is withdrawn prior to legal publication and notice. There shall be no fee in the case of applications filed in the public interest by City Council or by the Planning Commission. Fees shall include application fees, filing fees, consultant, legal, planning and engineering fees and/or escrow fees. Fees for actions not prescribed in City Code Chapter 34.03 may be levied by the city provided they are fair, reasonable, and proportionate and have a nexus to the actual cost of the service for which the fee is imposed.
  
- B. **Escrow Payment.** Certain applications require payment of an escrow as stipulated in City Code Chapter 34.03. The escrow fee shall be used to pay any outside expenses and fees incurred by the City, including, but not limited to consultants, attorneys, planning and engineering fees or other expenses due to the application. If, at any time, the balance in the cash escrow account is depleted to less than ten percent (10%) of the originally required cash escrow amount, the applicant shall deposit additional funds in the cash escrow account as determined by the Community Development Director. All expenses and fees in excess of the escrow deposit, shall be paid by the applicant to the City within thirty (30) days of final action on the matter by the City. If not paid within thirty (30) days, the account shall be deemed delinquent. Any balance remaining in the cash escrow account upon completion of the process shall be returned to the applicant after all expenses and fees thereto have been deducted, following final action by the City in the matter.

**SECTION 2. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The text amendment adopted by the Hastings City Council on April 17, 2023 modifies the City Ordinance to regulate the collection of fees and escrows.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 17th day of April, 2023

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Mary Fasbender, Mayor

Attest:

---

Kelly Murtaugh, City Clerk

Published in the Hastings Journal on April 20, 2023



***Planning Commission Memorandum***

**To: Planning Commissioners**

**From: John Hinzman, Community Development Director**

**Date: March 27, 2023**

**Item: REVISED - Public Hearing - Amend City Code Chapters 154 and 155 – Escrows and Fees**

**Planning Commission Action Requested**

Hold a public hearing and recommend action to amend City Code Chapter 154 – Subdivision and Chapter 155 – Zoning Code pertaining to escrows and fees. The public hearing notice officially would only be for Chapter 155 only, with the public hearing for Chapter 154 being held during the 2<sup>nd</sup> reading at City Council. This is due to the Planning Commission public hearing notice not referencing the amendment to Chapter 154. The amendments to both chapters are identical.

**Purpose**

The amendments accomplish the following:

- Delete specific fees in each code; the City fees are already referenced in Chapter 34.03 – Fees (along with all other City fees).
- Establish more specific requirements for escrows including use and replenishment of funds, final payments and return of unused funds to the applicant.

**Escrows**

Escrows are established for certain land use applications in which the total cost for review vary greatly from application to application. They include both Preliminary Plats and Site Plans. The purpose of an escrow is to require the applicant to reimburse the City for staff review and consultant costs related to review of the application. Any funds remaining at the end of a project are reimbursed back to the applicant.

**Recommendation**

Approval of the proposed ordinance is recommended.

**Attachment**

- Ordinance Amendment – Chapter 154 – Subdivision
- Ordinance Amendment – Chapter 155 - Zoning

**ORDINANCE NO. 2023-**

**AN ORDINANCE FOR THE CITY OF HASTINGS, MINNESOTA AMENDING  
HASTINGS CITY CODE CHAPTER 154 – SUBDIVISION ORDINANCE REGARDING  
ESCROWS AND FEES**

The City Council of the City of Hastings, Minnesota does hereby ordain as follows:

**SECTION 1. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 154, Section 154.11, Fees shall be stricken in its entirety and replaced with the following language:

**154.11 Fees**

- A. **Generally.** The fees to be paid for each application shall be as prescribed in City Code Chapter 34.03. They are reviewed annually by the City Council. Fees shall be payable at the time applications are filed with the Community Development Director and are not refundable unless application is withdrawn prior to legal publication and notice. There shall be no fee in the case of applications filed in the public interest by City Council or by the Planning Commission. Fees shall include application fees, filing fees, consultant, legal, planning and engineering fees and/or escrow fees. Fees for actions not prescribed in City Code Chapter 34.03 may be levied by the city provided they are fair, reasonable, and proportionate and have a nexus to the actual cost of the service for which the fee is imposed.
  
- B. **Escrow Payment.** Certain applications require payment of an escrow as stipulated in City Code Chapter 34.03. The escrow fee shall be used to pay any outside expenses and fees incurred by the City, including, but not limited to consultants, attorneys, planning and engineering fees or other expenses due to the application. If, at any time, the balance in the cash escrow account is depleted to less than ten percent (10%) of the originally required cash escrow amount, the applicant shall deposit additional funds in the cash escrow account as determined by the Community Development Director. All expenses and fees in excess of the escrow deposit, shall be paid by the applicant to the City within thirty (30) days of final action on the matter by the City. If not paid within thirty (30) days, the account shall be deemed delinquent. Any balance remaining in the cash escrow account upon completion of the process shall be returned to the applicant after all expenses and fees thereto have been deducted, following final action by the City in the matter.

**SECTION 2. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The text amendment adopted by the Hastings City Council on \_\_\_\_\_ modifies the City Ordinance to regulate the collection of fees and escrows.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Mary Fasbender, Mayor

Attest:

\_\_\_\_\_  
Kelly Murtaugh, City Clerk

Published in the Hastings Journal on \_\_\_\_\_



**ORDINANCE NO. 2023-**

**AN ORDINANCE FOR THE CITY OF HASTINGS, MINNESOTA AMENDING  
HASTINGS CITY CODE CHAPTER 155 – ZONING ORDINANCE REGARDING  
ESCROWS AND FEES**

The City Council of the City of Hastings, Minnesota does hereby ordain as follows:

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**155.59 Fees**

- A. **Generally.** The fees to be paid for each application shall be as prescribed in City Code Chapter 34.03. They are reviewed annually by the City Council. Fees shall be payable at the time applications are filed with the Community Development Director and are not refundable unless application is withdrawn prior to legal publication and notice. There shall be no fee in the case of applications filed in the public interest by City Council or by the Planning Commission. Fees shall include application fees, filing fees, consultant, legal, planning and engineering fees and/or escrow fees. Fees for actions not prescribed in City Code Chapter 34.03 may be levied by the city provided they are fair, reasonable, and proportionate and have a nexus to the actual cost of the service for which the fee is imposed.
  
- B. **Escrow Payment.** Certain applications require payment of an escrow as stipulated in City Code Chapter 34.03. The escrow fee shall be used to pay any outside expenses and fees incurred by the City, including, but not limited to consultants, attorneys, planning and engineering fees or other expenses due to the application. If, at any time, the balance in the cash escrow account is depleted to less than ten percent (10%) of the originally required cash escrow amount, the applicant shall deposit additional funds in the cash escrow account as determined by the Community Development Director. All expenses and fees in excess of the escrow deposit, shall be paid by the applicant to the City within thirty (30) days of final action on the matter by the City. If not paid within thirty (30) days, the account shall be deemed delinquent. Any balance remaining in the cash escrow account upon completion of the process shall be returned to the applicant after all expenses and fees thereto have been deducted, following final action by the City in the matter.

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The text amendment adopted by the Hastings City Council on \_\_\_\_\_ modifies the City Ordinance to regulate the collection of fees and escrows.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Mary Fasbender, Mayor

Attest:

\_\_\_\_\_  
Kelly Murtaugh, City Clerk

Published in the Hastings Journal on \_\_\_\_\_



**City Council Memorandum**

**To:** Mayor Fasbender & City Council Members  
**From:** Ryan Stempski – Public Works Director/City Engineer  
**Date:** April 12, 2023  
**Item:** Contract Award for 2023 Neighborhood Infrastructure Improvements

**COUNCIL ACTION REQUESTED**

Council is requested to adopt the attached resolution to award a contract for the 2023 Neighborhood Infrastructure Improvements.

**BACKGROUND INFORMATION**

The City received eight bids for this project on April 7<sup>th</sup>. A summary of the bids is listed below.

No.	Bidder	Total Base Bid	Bid Alternate No. 1	(Deduct) Bid Alternate No. 2
1	BCM Construction Inc.	\$3,197,968.00	\$170,753.25	\$127,712.50
2	McNamara Contracting	\$3,238,575.00	\$418,296.00	\$122,604.00
3	A-1 Excavating Inc.	\$3,373,928.70	\$411,191.25	\$120,049.75
4	Danner Inc.	\$3,386,449.45	\$376,636.25	\$124,647.40
5	Miller Excavating Inc.	\$3,566,647.77	\$435,751.45	\$133,842.70
6	Park Construction Company	\$3,731,156.75	\$342,310.15	\$178,655.61
7	Northdale Construction Co. Inc.	\$3,738,453.24	\$415,188.31	\$128,734.20
8	Meyer Contracting Inc.	\$4,141,930.69	\$398,672.13	\$169,140.56

Bid Alternate No. 1 includes the modification of the Pleasant Drive Bridge to accommodate a new 10-foot wide multi-use trail within the project along the west side of Pleasant Drive. As part of this Bid Alternate, the existing sidewalk along the west side of the bridge would be widened from 6-feet to 10-feet and a decorative fence would replace the existing guardrail to match the fencing installed in 2012 along the east side of the bridge.

Bid Alternate No. 2 considered a substitution of the bituminous pavement to be used in the project with a lower cost material than the pavement included in the base bid. This alternate was put in place as a precautionary measure for volatile oil prices throughout the industry. This alternate was only intended to be awarded if the Base Bids received came in over budget.

The low Base Bid from BCM Construction Inc., including their bid for Bid Alternate No. 1, came to \$3,368,721.25 which is 4% under the engineer’s estimate of \$3,506,946.10 for this net total. Based on this low bid, staff recommends awarding Bid Alternate No. 1 and not awarding Bid Alternate No. 2. This bid including the bid alternate positions the project to come in within the project budget set for 2023.

**POST-BID CONTRACTOR QUALIFICATION REVIEW**

Contractors who furnished a bid were required to include a completed questionnaire and to submit a variety of company background and experience data to substantiate their ability to perform the work on this project. IX-03  
Contractors' proposals were also scored using objective criteria for the information being submitted. A score of 10 points being the minimum necessary to be considered qualified to perform the project work.

The qualification review for BCM Construction Inc. determined that their proposal score was 16 points, which exceeds the minimum score necessary to be considered qualified to perform this project. It should also be noted that BCM Construction Inc. has completed a neighborhood project for the City of Hastings in the past (Project 2018-1), which was completed on time, met quality requirements, and was on budget

**STAFF RECOMMENDATION**

Staff is recommending that the City Council move forward in adopting the attached resolution awarding the contract to BCM Construction Inc., in the total amount of \$3,368,721.25, which includes Bid Alternate No. 1.

**ATTACHMENTS**

- Resolution

**CITY OF HASTINGS**

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. \_\_\_\_\_

IX-03

**RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT FOR PROJECT 2023-1  
2023 NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS**

**WHEREAS**, pursuant to an advertisement for bids for Project 2023-1, the 2023 Neighborhood Infrastructure Improvements project, bids were opened on April 7, 2023 and tabulated according to law, and the following bids were received:

No.	Bidder	Total Base Bid	Add	
			Bid Alternate No. 1	Net Total
1	BCM Construction Inc.	\$3,197,968.00	\$170,753.25	\$3,368,721.25
2	McNamara Contracting	\$3,238,575.00	\$418,296.00	\$3,656,871.00
3	A-1 Excavating Inc.	\$3,373,928.70	\$411,191.25	\$3,785,119.95
4	Danner Inc.	\$3,386,449.45	\$376,636.25	\$3,763,085.70
5	Miller Excavating Inc.	\$3,566,647.77	\$435,751.45	\$4,002,399.22
6	Park Construction Company	\$3,731,156.75	\$342,310.15	\$4,073,466.90
7	Northdale Construction Co. Inc.	\$3,738,453.24	\$415,188.31	\$4,153,641.55
8	Meyer Contracting Inc.	\$4,141,930.69	\$398,672.13	\$4,540,602.82

and

**WHEREAS**, each bidder was required to submit detailed information regarding their company’s ability to perform said project, and said information was reviewed and scored through the use of objective criteria for the purposes of determining bidder’s ability to perform the project work, and

**WHEREAS**, the lowest bidder, BCM Construction Inc., met the minimum number of points in the bidder’s qualification review to meet the requirements, and

**WHEREAS**, it appears that BCM Construction Inc. is the lowest responsible bidder.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:**

1. The Mayor and Clerk are hereby authorized and directed to enter into a contract with BCM Construction Inc.
2. The total amount of the contract is hereby declared to be \$3,368,721.25, which includes award of the Base Bid and Bid Alternate No. 1.

**ADOPTED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA, THIS 17<sup>th</sup> DAY OF APRIL, 2023.**

Ayes:

Nays:

ATTEST:

\_\_\_\_\_  
Kelly Murtaugh, City Clerk

\_\_\_\_\_  
Mary D. Fasbender, Mayor

SEAL



## City Council Memorandum

**To:** Mayor Fasbender & City Council Members  
**From:** John Caven  
**Date:** March 24, 2023  
**Item:** Award of Contract – 2023 Mill & Overlay Program

### Council Action Requested:

The council is requested to award the contract for the 2023 Mill & Overlay Program to the lowest responsible bidder, Park Construction Company, in the amount of \$723,626.75 (base bid plus alternative). This project will provide a renewed pavement surface on Spiral Blvd from Enterprise Ave to CR91, Glacier Way from 31<sup>st</sup> St through first cul-de-sac, 13<sup>th</sup> St from Tierney Dr to General Sieben Dr, 14<sup>th</sup> St from west end to General Sieben Dr, O'Connell Dr from 14<sup>th</sup> St to 15<sup>th</sup> St, Sunset Dr from O'Connell Dr to west end, Tierney Dr from South Frontage Rd to General Sieben Dr, Unnamed Rd from Hwy 55 to South Frontage Rd, Valley Ln from Westview Dr through cul-de-sac, Carleton Ln from 15<sup>th</sup> St to Carleton Dr (alternate), Hilltop Ln from Westview Dr to east end (alternate), upgrade 7 pedestrian ramps to ADA standards, and provide 25 concrete sidewalk improvements identified within our ADA Sidewalk Transition Plan.

### Background Information:

Five bids were received and opened for the 2023 Mill & Overlay Program on Thursday, March 23, 2023. The substantial completion date for the project is June 23, 2023.

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate</u>
Park Construction Company	\$675,333.09	\$48,293.66
McNamara Contracting	\$720,831.80	\$53,969.00
Bituminous Roadways	\$731,969.73	\$49,188.85
Northwest	\$734,187.72	\$52,029.88
OMG Midwest Inc dba MN Paving & Materials	\$748,254.60	\$49,216.55

### Financial Impact:

The State Aid street portion of the 2023 Mill & Overlay Program is paid by State Aid funding up to \$250,000, the local residential non-State Aid streets will be paid by Mill and Overlay up to \$450,000, and the ADA sidewalk improvements will be paid by Repair and Maintenance up to \$25,000. The construction costs track within the 2023 budget.

### Staff Recommendation:

Staff is recommending the City Council move forward in adopting the attached resolution awarding the contract to Park Construction Company, in the amount of \$723,626.75, which includes award of Bid Alternate No. 1.

### Attachments:

- Resolution
- Project Map

**CITY OF HASTINGS**

DAKOTA COUNTY, MINNESOTA

Resolution No. \_\_\_\_\_

**RESOLUTION AWARDING CONTRACT FOR  
2023 MILL & OVERLAY PROGRAM**

**WHEREAS**, pursuant to an advertisement for bids for 2023 Mill & Overlay Program, bids were opened on March 23, 2023 and tabulated according to law, and the following bids were received:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate</u>
Park Construction Company	\$675,333.09	\$48,293.66
McNamara Contracting	\$720,831.80	\$53,969.00
Bituminous Roadways	\$731,969.73	\$49,188.85
Northwest	\$734,187.72	\$52,029.88
OMG Midwest	\$748,254.60	\$49,216.55

**WHEREAS**, Park Construction Company is the lowest bidder, and

**WHEREAS**, Park Construction Company has been determined to be qualified for the contract;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS;**

- 1) The Mayor and City Clerk are hereby authorized and directed to enter into a contract for the 2023 Mill & Overlay Program with Park Construction Company in the amount of \$723,626.75, which includes Bid Alternate No.1.

**ADOPTED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA, THIS 17<sup>TH</sup> DAY OF APRIL, 2023.**

Ayes:

Nays:

ATTEST:

\_\_\_\_\_  
*Mary Fasbender, Mayor*

\_\_\_\_\_  
*Kelly Murtaugh, City Clerk*


(Seal)



## Proposed 2023 Mill and Overlay Program

 Local Street

- 13th St: Tierney Dr to General Sieben Dr
- 14th St: West End to General Sieben Dr
- Carleton Ln: 15th St to Carleton Dr
- Glacier Way: 31st St through first Cul-de-sac
- Hilltop Ln: Westview Dr to East End
- O'Connell Dr: 14th St to 15th St
- Sunset Dr: West End to O'Connell Dr
- Tierney Dr: South Frontage Rd to General Sieben Dr
- Unnamed Rd: Hwy 55 to South Frontage Rd
- Valley Ln: Westview Dr through Cul-de-sac

 Municipal State Aid Street

- Spiral Blvd: Enterprise Ave to CR91



Revised: December 30, 2022





*City Council Memorandum*

**To:** Mayor Fasbender & City Councilmembers  
**From:** John Hinzman, Community Development Director  
**Date:** April 17, 2023  
**Item:** 2<sup>nd</sup> Reading\Adopt Ordinance: City Code Amendment – Chapter 155 – Solar Energy Systems

**Council Action Requested:**

Consider 2<sup>nd</sup> Reading\Adopt Ordinance of an amendment to City Code Chapter 155 establishing rules for Solar Energy Systems. The City Council considered 1<sup>st</sup> reading at the April 3<sup>rd</sup> meeting. A simple majority is necessary for action.

**Background:**

The City does not currently have regulations pertaining to installation of solar energy systems. Staff has fielded requests for solar farms and believes regulations are necessary.

**Financial Impact:**

Creation of a solar energy systems ordinance may encourage further installation of systems which may be financially beneficial to home owners and solar farm operators.

**Advisory Commission Discussion:**

The Planning Commission reviewed the amendment at the March 27, 2023 meeting. The Commission voted 6-0 to recommend approval with minor clarifications.

**Council Committee Discussion:**

N/A

**Attachments:**

- Ordinance Amendment – Chapter 155 – Solar Energy Systems
- Planning Commission Staff Report – March 27, 2023

**ORDINANCE NO. 2023-**

**AN ORDINANCE FOR THE CITY OF HASTINGS, MINNESOTA AMENDING  
HASTINGS CITY CODE CHAPTER 155 – ZONING ORDINANCE REGARDING  
SOLAR ENERGY SYSTEMS**

The City Council of the City of Hastings, Minnesota does hereby ordain as follows:

**SECTION 1. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 155, Section 155.07.J Solar Energy Systems is hereby enacted as follows:

**155.07; Subd. J: SOLAR ENERGY SYSTEMS:**

1. **Purpose:** Hastings supports the use of solar energy systems in appropriate zoning districts within the City. The development of solar energy systems should be balanced with the protection of the public safety and the existing natural resources in Hastings, with limited adverse impacts on nearby properties. This Section provides for the regulation of the construction and operation of solar energy systems in Hastings, subject to reasonable conditions to protect the environment, public health, safety, and welfare. The provisions of this Section shall apply within all zoning districts. In no case shall the provisions of this Section guarantee rights to solar access.

2. **Definitions:** The following words, terms and phrases when used in this Chapter shall have the meaning ascribed to them in this Section except where the context clearly indicates a different meaning.

- a. **COMMUNITY SOLAR GARDEN:** A solar electric (photovoltaic) array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off site from the location of the solar energy system, under the provisions of Minnesota Statutes Section 216B.1641.
- b. **PHOTOVOLTAIC SYSTEM:** An active solar energy system that converts solar energy directly into electricity.
- c. **SOLAR COLLECTOR:** A device, structure, or a part of a device or structure for which the primary purpose is to capture sunlight and transform it into thermal, mechanical, chemical, or electrical energy.

- d. **SOLAR DAYLIGHTING:** A device specifically designed to capture and redirect the visible portion of the solar spectrum, while controlling the infrared portion, for use in illuminating interior building spaces in lieu of artificial lighting.
- e. **SOLAR ENERGY:** Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.
- f. **SOLAR ENERGY DEVICE:** A system or series of mechanisms designed primarily to provide heating, cooling, electrical power, mechanical power, or solar daylighting or to provide any combination of the foregoing by means of collecting and transferring solar generated energy into such uses either by active or passive means. Such systems may also have the capability of storing such energy for future utilization.
- g. **SOLAR ENERGY SYSTEM:** An active solar energy system that collects or stores solar energy and transforms solar energy into another form of energy or transfers heat from a collector to another medium using mechanical, electrical, thermal or chemical means.
- h. **SOLAR ENERGY SYSTEM, GRID INTERTIE:** A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.
- i. **SOLAR ENERGY SYSTEM, GROUND MOUNTED:** A freestanding solar energy system mounted directly to the ground using a rack or pole rather than being mounted on a building.
- j. **SOLAR ENERGY SYSTEM, OFF GRID:** A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility company.
- k. **SOLAR ENERGY SYSTEM, ROOF MOUNTED:** A solar energy system mounted onto the roof of a building.
- l. **SOLAR FARM:** A commercial facility that converts sunlight into electricity, whether by photovoltaic (PV), concentrating solar power devices (CSP), or other conversion technology, for the principal purpose of wholesale sales of generated electricity. A solar farm is the primary land use for the parcel on which it is located.
- m. **SOLAR HEAT EXCHANGER:** A component of a solar energy device that is used to transfer heat from one substance to another, either liquid or gas.

- n. **SOLAR HOT AIR SYSTEM:** An active solar energy system that includes a solar collector to provide direct supplemental space heating by heating and recirculating conditioned building air.
- o. **SOLAR HOT WATER SYSTEM:** A system that includes a solar collector and a heat exchanger that heats or preheats water for building heating systems or other hot water needs, including residential domestic hot water and hot water for commercial processes.
- p. **SOLAR MOUNTING DEVICES:** Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.

3. **General Standards.** Solar energy systems in accordance with the standards in this Section are allowed as a permitted accessory use in all zoning districts.

a. **Applicability.** Solar collectors and solar energy systems with a cumulative area of six (6) square feet or less per lot are permitted in all zoning districts and are exempt from the provisions of this Section. Examples of these systems include outdoor accent lighting systems, power supply for traffic control systems, powering a water pump for water gardens, telecommunication systems, backup power systems during power outages, and similar solar energy systems. Cumulative area is defined as including solar collectors or solar energy systems that are connected to a singular photovoltaic system.

b. **Wall Mounted Solar Energy Systems:** Wall mounted solar energy systems must be flush with the wall, integrated into the building design, and shall be placed to limit visibility from the public right-of-way or to blend into the wall design, provided that minimizing visibility still allows the property owner to reasonably capture solar energy. Wall mounted solar energy systems shall comply with the minimum building setback requirements for the zoning district in which they are located and may not extend into any easements.

c. **Roof-Mounted Solar Energy Systems:**

- 1. Roof mounting devices and roof mounted solar energy systems shall be flush mounted to the roof. They may be mounted at an angle to the roof only when flush mounting prevents the reasonable capture of solar energy.
- 2. Roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built or as required by Building Code.
- 3. Roof-mounted solar energy systems shall comply with the maximum height requirements for the zoning district in which they are located.
- 4. Roof-mounted solar energy systems shall be placed to limit visibility from the public right-of-way or to blend into the roof design, provided that

minimizing visibility still allows the property owner to reasonably capture solar energy.

5. Reflection angles from collector surfaces shall be oriented away from neighboring windows. Where necessary, screening may be required to address glare.

**d. Ground-Mounted Solar Energy Systems:**

1. Ground mounted solar energy systems may only be erected as an accessory use on properties consisting of five (5) or more acres, regardless of the zoning district in which they are located.
2. Ground mounted solar energy systems may only be erected as a primary use when stipulated in the applicable zoning district in which they are located.
3. Ground mounted solar energy systems shall not exceed fifteen feet (15') in height when oriented at maximum tilt as measured from the ground to the highest point of the solar collector or related appurtenance.
4. Ground-mounted solar energy systems shall comply with the accessory structure setback standards for the applicable zoning district in which they are located, except as otherwise required in this Section. Solar energy systems shall not extend into the minimum front, rear, or side yard setbacks when oriented at minimum or maximum design tilt.
5. Ground-mounted solar energy systems erected as an accessory use are prohibited in the front yard of properties. Ground mounted solar energy systems erected as a primary use must comply with the minimum front yard setback as required in the zoning district they are located in or such greater distance as may be required in this Section.

- e. Heliostats:** Heliostats are prohibited in all zoning districts.

**4. Additional Requirements:**

**a. Public Easements:** Solar energy systems shall not encroach on public drainage or utility easements.

**b. Glare:** Solar collectors shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties, or roadways, and shall not emit unreasonable glare as determined by City Staff.

**c. Applications for Solar Energy Systems:** All solar energy systems require a building permit and must include the following information:

1. A site plan of existing and proposed site conditions.
2. Description and depiction of the solar energy system.
3. Number of solar collectors to be installed.
4. Location and spacing of solar collectors and mounting devices.
5. Applications for ground mounted solar energy systems shall identify existing vegetation on the installation site (list vegetation type and percent of coverage; i.e., grassland, plowed field, wooded areas, etc.), and provide a maintenance plan for controlling vegetative growth on site upon installation of the solar energy system.
6. A description of the method of connecting the solar collectors to a building or substation and a signed copy of the interconnection agreement with the local electric utility shall be included or a written explanation outlining why an interconnection agreement is not required.
7. Planned location of underground or overhead electric lines connecting the solar energy system to the substation or distribution line.
8. New electrical equipment other than at the existing building or substation that is the connection point for the solar energy system.
9. Manufacturer's specifications and recommended installation methods for all major equipment, including solar collectors, mounting systems and foundations for poles or racks. The City reserves the right to deny a building permit for proposed solar energy systems deemed to have inadequate certification.
10. Existing and proposed (if existing grade will be altered) topography at two-foot (2') contours.
11. Demonstrate that there will be no unreasonable glare generated by the solar energy system and that any glare generated shall not be directed onto adjacent buildings, properties, or roadways or otherwise adversely impact neighboring properties as deemed necessary by City Staff.

d. **Grid Interties:** For all grid intertie solar energy systems, all power lines shall be placed underground within the interior of each parcel and between the solar energy system and its connection to the electric grid. The collection system may be placed overhead near substations or points of interconnection to the electric grid. All grid intertie systems shall have an agreement with the local utility prior to the issuance of a building permit. A visible external disconnect must be provided if required by the utility. Off grid

systems are exempt from this requirement.

e. **Historic Structures:** Solar energy systems on buildings within designated historic districts or on locally designated historic buildings must receive approval by the Hastings Heritage Preservation Commission and shall be consistent with the standards for solar energy systems on historically designated buildings published by the U.S. Department of Interior

5. **Community Solar Gardens and Solar Farms:** Community solar gardens and solar farms are permitted subject to the following requirements:

a. **Ground Mounted Community Solar Gardens and Solar Farms:** Ground mounted community solar gardens and solar farms are only permitted when stipulated in the applicable zoning district in which they are located and must comply with the following requirements:

1. A minimum of five (5) acres of land is required. All ground mounted solar energy systems and solar collection appurtenant equipment must set back a minimum of twenty feet (20') from all property boundary lines.
2. Vegetative screening and buffering of the ground-mounted solar energy systems will be required as part of the conditions of approval. The developer or applicant of a solar energy project shall submit to the city for approval a screening and landscape plan. A buffer and screening plan may use a combination of trees, shrubs, fencing, and/or berms that provides year-round coverage that completely screens the solar installation from the public right-of-way and from adjacent and nearby residences. If existing screening in the form of vegetation that provides year-round coverage or site topography is such that it provides the required screening from adjacent residential properties and right-of-way, the screening requirement may be waived or reduced.
3. The electrical connection systems shall be placed underground within the interior of each parcel and between the solar energy system and the point where the interconnection to the electric grid is made.
4. Site plan required: The owner or operator shall submit to the city a detailed site plan for both existing and proposed conditions. These plans shall show the location of all areas where solar arrays would be placed, the existing and proposed structures, property lines, access points, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high-water mark for all water bodies, any other protected resources, topography, electric equipment and all other characteristics requested by the City.

5. Stormwater management, erosion and sediment control shall meet the requirements of the City and best management practices.
6. The owner or operator shall contain all unenclosed electrical conductors located above ground within structures that control access or they must be protected from entry by a six-foot-tall fence. All electrical connections to the utility system must meet or exceed the National Electrical Safety Code

b. **Roof Mounted Community Solar Gardens and Solar Farms:** Roof mounted community solar gardens and solar farms are permitted on flat roofs on principal structures in all zoning districts regardless of lot size, and must comply with the following requirements:

1. All feeder lines and grid interties shall be placed underground between the solar energy system and the point where the interconnection to the electric grid is made. The collection system may be placed overhead near substations or points of interconnection to the electric grid.
2. Roof-mounted systems shall comply with all building setbacks in the applicable zoning district and shall not extend beyond the exterior perimeter of the building on which the system is mounted or as required by Building Code.
3. Roof-mounted solar energy systems must abut an existing electric distribution system for purposes of making the interconnection to the electric grid.

c. **Decommissioning:** A decommissioning plan shall be submitted with all applications for community solar gardens or solar farm systems. Owners and/or applicants and must comply with the following requirements:

1. Decommissioning plans shall outline the anticipated means and cost of removing the solar energy system at the end of its serviceable life or upon the discontinuation of its use. The cost estimates shall be made by a competent party, such as professional engineer, a contractor capable of decommissioning the system, or a person with suitable expertise or experience with decommissioning. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the system. Owners of solar energy systems may rely on manufacturer's data to submit estimates.
2. Decommissioning of the system must occur within ninety (90) days from either of the following:
  - i. The end of the system's service life; or



- ii. The system becomes a discontinued use.
  - 3. A system shall be considered a discontinued use after one year without energy production, unless a plan is developed during the year the system is discontinued and submitted to the Community Development Director outlining the steps and schedule for returning the system back into service.
  - 4. The City may, at its discretion, require the owner and/or operator of the solar energy system to provide financial security in the form of a cash escrow, bond, or irrevocable letter of credit in an amount equal to one hundred twenty five percent (125%) of a cost estimate for decommissioning the system.
  - 5. The owner of the property where a community solar garden or solar farm is located must notify the City in writing when feeder lines and/or grid interties are disconnected from the local utility transmission line.
5. **Abandonment:** If a solar energy system remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at its expense after a demolition permit has been obtained. Removal shall include removal of the entire solar energy systems, including all solar collectors, mounting structures, and related components.

**SECTION 2. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 155, Section 155.02 Definitions shall be amended by adding the following definition:

**Interim Use.** A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

**SECTION 3. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 155, Section 155.21.E – A Agriculture Interim Uses shall be stricken in its entirety and replaced with the following language:

#### **E. Interim Use**

- 1. **Purpose.** Interim Uses are allowed upon issuance of an Interim Use Permit and execution of an Interim Use Agreement establishing parameters and conditions for operation. The City Council may grant permission of an Interim Use of the property if:
  - a. The use conforms to the zoning regulations;
  - b. The date or event that will terminate the use can be identified with certainty;

- c. Permission of the use will not impose additional costs on the public if it is necessary for the public to take over the property in the future; and
- d. The user agrees to any conditions that the City deems appropriate for permission of the use.

## 2. **Uses by Interim Use Permit.**

- a. **Interim Waiver of Site Plan Requirements.** Uses identified as permitted or by special permit may be granted an Interim Use Permit to defer the construction of certain property improvements for a defined period of time. Deferred construction items may include paving and/or curbing of a parking lot, construction of a permanent building, and other similar items. Only properties outside of the Metropolitan Urban Service Area (MUSA) may be eligible for issuance of an Interim Waiver of Site Plan Requirements. Upon termination of the Interim Waiver of Site Plan Requirements the business must comply with any deferred items to continue operation.

- b. **Ground Mounted Community Solar Gardens and Solar Farms**

## 3. **Additional Requirements.**

- a. Interim Use Permits shall be issued for a six-month probationary period as determined by City Council. The City Council may consider full issuance of an Interim Use Permit at the end of the probationary period.
- b. The site must be returned to its pre-development condition upon termination of the interim use permit.
- c. If applicable, the business must present an acceptable plan for on-site portable restrooms and trash removal.
- d. All temporary and permanent signage will require a separate sign permit.
- e. As a condition of approval, the City will need to review and approve any temporary or mobile structure.
- f. The construction of or movement of any buildings onto the property requires Site Plan Approval.
- g. Interim Use Permits shall be subject to the requirements of Chapter 30.02 (E) (2) – Special Use Permits.
- h. Hours of operations shall be reviewed.

- i. Any interim use may be terminated by a change in zoning regulations.

**SECTION 4. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The text amendment adopted by the Hastings City Council on April 17, 2023 modifies the City Ordinance to regulate solar energy systems operations and uses through the establishment of permits and performance standards.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 17<sup>th</sup> day of April, 2023

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Mary Fasbender, Mayor

Attest:

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Kelly Murtaugh, City Clerk

Published in the Hastings Journal on April 20, 2023



***Planning Commission Memorandum***

**To: Planning Commissioners**

**From: John Hinzman, Community Development Director**

**Date: March 27, 2023**

**Item: Public Hearing - Amend City Code Chapter 155 – Solar Energy Systems**

**Planning Commission Action Requested**

Hold a public hearing and recommend action to amend City Code Chapter 155 – Zoning Code establishing requirements for solar energy systems.

**Purpose**

The City does not currently have regulations pertaining to installation of solar energy systems. Staff has fielded requests for solar farms and believes regulations are necessary.

**Solar Energy Systems**

Solar energy systems collect or store solar energy, transforming it to another form of energy or transfers heat from a collector to another medium. Systems generally include solar panels and related infrastructure necessary for collection and transfer of energy.

**Types of Systems**



***Roof Mounted***



***Wall Mounted***



**Ground Mounted**



**Ground Mounted Solar Farms and Gardens**

**General Regulations**

Solar energy systems would be regulated based on system type as follows:

<b>Type</b>	<b>Allowable Zoning District</b>	<b>Permit Type</b>	<b>Performance Standards</b>
All Systems under 6 s.f.	All Districts	No permit needed	N\A
Wall Mounted	All Districts	Building Permit	Limit visibility to ROW Integrated into building design Comply with minimum setbacks
Roof Mounted – Individual Use	All Districts	Building Permit	Flush to roof Angled only if flush not feasible Must meet height requirements Limit view from public ROW Limit glare to neighbors
Roof Mounted – Community Solar Garden	All Districts on flat roofs	Building Permit	Flush to roof Angled only if flush not feasible Must meet height requirements Limit view from public ROW Limit glare to neighbors Underground electric connection Decommissioning Plan
Ground Mounted – Accessory Use	All Districts if property > 5 acres	Building Permit	Max Height of 15’ Comply with Accessory Setback Prohibited in Front Yard
Ground Mounted - Community Solar Garden	Agriculture District only > 5 acres	Interim Use Permit\Site Plan	Minimum 20’setback Screening and buffering Underground electrical connection Stormwater Management Decommissioning Plan

**Interim Use Definition**

The following definition of interim would be added to the definitions section of the zoning code:

**Interim Use.** A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

**Interim Use – Agriculture Zoning District**

The existing interim use permit language within the zoning code includes only one use – interim waiver of site plan requirements. This has been utilized United Heroes League and Extreme Sandbox to provide for a temporary waiver of Site Plan requirements for a limited period of time. The existing language limiting permits to 18 months has been removed leaving the City the opportunity to structure the length of time based on the individual request. The proposed amendment restructures the existing language and adds provisions for ground mounted community solar gardens and farms.

**Recommendation**

Approval of the proposed ordinance is recommended.

**Attachment**

- Ordinance Amendment

**ORDINANCE NO. 2023-**

**AN ORDINANCE FOR THE CITY OF HASTINGS, MINNESOTA AMENDING  
HASTINGS CITY CODE CHAPTER 155 – ZONING ORDINANCE REGARDING  
SOLAR ENERGY SYSTEMS**

The City Council of the City of Hastings, Minnesota does hereby ordain as follows:

**SECTION 1. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 155, Section 155.07.J Solar Energy Systems is hereby enacted as follows:

**155.07; Subd. J: SOLAR ENERGY SYSTEMS:**

1. **Purpose:** Hastings supports the use of solar energy systems in appropriate zoning districts within the City. The development of solar energy systems should be balanced with the protection of the public safety and the existing natural resources in Hastings, with limited adverse impacts on nearby properties. This Section provides for the regulation of the construction and operation of solar energy systems in Hastings, subject to reasonable conditions to protect the environment, public health, safety, and welfare. The provisions of this Section shall apply within all zoning districts. In no case shall the provisions of this Section guarantee rights to solar access.

2. **Definitions:** The following words, terms and phrases when used in this Chapter shall have the meaning ascribed to them in this Section except where the context clearly indicates a different meaning.

- a. **COMMUNITY SOLAR GARDEN:** A solar electric (photovoltaic) array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off site from the location of the solar energy system, under the provisions of Minnesota Statutes Section 216B.1641.
- b. **PHOTOVOLTAIC SYSTEM:** An active solar energy system that converts solar energy directly into electricity.
- c. **SOLAR COLLECTOR:** A device, structure, or a part of a device or structure for which the primary purpose is to capture sunlight and transform it into thermal, mechanical, chemical, or electrical energy.

- d. **SOLAR DAYLIGHTING:** A device specifically designed to capture and redirect the visible portion of the solar spectrum, while controlling the infrared portion, for use in illuminating interior building spaces in lieu of artificial lighting.
- e. **SOLAR ENERGY:** Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.
- f. **SOLAR ENERGY DEVICE:** A system or series of mechanisms designed primarily to provide heating, cooling, electrical power, mechanical power, or solar daylighting or to provide any combination of the foregoing by means of collecting and transferring solar generated energy into such uses either by active or passive means. Such systems may also have the capability of storing such energy for future utilization.
- g. **SOLAR ENERGY SYSTEM:** An active solar energy system that collects or stores solar energy and transforms solar energy into another form of energy or transfers heat from a collector to another medium using mechanical, electrical, thermal or chemical means.
- h. **SOLAR ENERGY SYSTEM, GRID INTERTIE:** A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.
- i. **SOLAR ENERGY SYSTEM, GROUND MOUNTED:** A freestanding solar energy system mounted directly to the ground using a rack or pole rather than being mounted on a building.
- j. **SOLAR ENERGY SYSTEM, OFF GRID:** A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility company.
- k. **SOLAR ENERGY SYSTEM, ROOF MOUNTED:** A solar energy system mounted onto the roof of a building.
- l. **SOLAR FARM:** A commercial facility that converts sunlight into electricity, whether by photovoltaic (PV), concentrating solar power devices (CSP), or other conversion technology, for the principal purpose of wholesale sales of generated electricity. A solar farm is the primary land use for the parcel on which it is located.
- m. **SOLAR HEAT EXCHANGER:** A component of a solar energy device that is used to transfer heat from one substance to another, either liquid or gas.



- n. **SOLAR HOT AIR SYSTEM:** An active solar energy system that includes a solar collector to provide direct supplemental space heating by heating and recirculating conditioned building air.
- o. **SOLAR HOT WATER SYSTEM:** A system that includes a solar collector and a heat exchanger that heats or preheats water for building heating systems or other hot water needs, including residential domestic hot water and hot water for commercial processes.
- p. **SOLAR MOUNTING DEVICES:** Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.

3. **General Standards.** Solar energy systems in accordance with the standards in this Section are allowed as a permitted accessory use in all zoning districts.

a. **Applicability.** Solar collectors and solar energy systems with a cumulative area of six (6) square feet or less are permitted in all zoning districts and are exempt from the provisions of this Section. Examples of these systems include outdoor accent lighting systems, power supply for traffic control systems, powering a water pump for water gardens, telecommunication systems, backup power systems during power outages, and similar solar energy systems.

b. **Wall Mounted Solar Energy Systems:** Wall mounted solar energy systems must be flush with the wall, integrated into the building design, and shall be placed to limit visibility from the public right-of-way. Wall mounted solar energy systems shall comply with the minimum building setback requirements for the zoning district in which they are located and may not extend into any easements.

c. **Roof-Mounted Solar Energy Systems:**

1. Roof mounting devices and roof mounted solar energy systems shall be flush mounted to the roof. They may be mounted at an angle to the roof only when flush mounting prevents the reasonable capture of solar energy.
2. Roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built or as required by Building Code.
3. Roof-mounted solar energy systems shall comply with the maximum height requirements for the zoning district in which they are located.
4. Roof-mounted solar energy systems shall be placed to limit visibility from the public right-of-way or to blend into the roof design, provided that minimizing visibility still allows the property owner to reasonably capture solar energy.

5. Reflection angles from collector surfaces shall be oriented away from neighboring windows. Where necessary, screening may be required to address glare.

d. **Ground-Mounted Solar Energy Systems:**

1. Ground mounted solar energy systems may only be erected as an accessory use on properties consisting of five (5) or more acres, regardless of the zoning district in which they are located.
2. Ground mounted solar energy systems may only be erected as a primary use when stipulated in the applicable zoning district in which they are located.
3. Ground mounted solar energy systems shall not exceed fifteen feet (15') in height when oriented at maximum tilt as measured from the ground to the highest point of the solar collector or related appurtenance.
4. Ground-mounted solar energy systems shall comply with the accessory structure setback standards for the applicable zoning district in which they are located, except as otherwise required in this Section. Solar energy systems shall not extend into the minimum front, rear, or side yard setbacks when oriented at minimum or maximum design tilt.
5. Ground-mounted solar energy systems erected as an accessory use are prohibited in the front yard of properties. Ground mounted solar energy systems erected as a primary use must comply with the minimum front yard setback as required in the zoning district they are located in or such greater distance as may be required in this Section.

- e. **Heliostats:** Heliostats are prohibited in all zoning districts.

4. **Additional Requirements:**

a. **Public Easements:** Solar energy systems shall not encroach on public drainage or utility easements.

b. **Glare:** Solar collectors shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties, or roadways, and shall not emit unreasonable glare as determined by City Staff.

c. **Applications for Solar Energy Systems:** All solar energy systems require a building permit and must include the following information:

1. A site plan of existing and proposed site conditions.

2. Description and depiction of the solar energy system.
  3. Number of solar collectors to be installed.
  4. Location and spacing of solar collectors and mounting devices.
  5. Applications for ground mounted solar energy systems shall identify existing vegetation on the installation site (list vegetation type and percent of coverage; i.e., grassland, plowed field, wooded areas, etc.), and provide a maintenance plan for controlling vegetative growth on site upon installation of the solar energy system.
  6. A description of the method of connecting the solar collectors to a building or substation and a signed copy of the interconnection agreement with the local electric utility shall be included or a written explanation outlining why an interconnection agreement is not required.
  7. Planned location of underground or overhead electric lines connecting the solar energy system to the substation or distribution line.
  8. New electrical equipment other than at the existing building or substation that is the connection point for the solar energy system.
  9. Manufacturer's specifications and recommended installation methods for all major equipment, including solar collectors, mounting systems and foundations for poles or racks. The City reserves the right to deny a building permit for proposed solar energy systems deemed to have inadequate certification.
  10. Existing and proposed (if existing grade will be altered) topography at two-foot (2') contours.
  11. Demonstrate that there will be no unreasonable glare generated by the solar energy system and that any glare generated shall not be directed onto adjacent buildings, properties, or roadways or otherwise adversely impact neighboring properties as deemed necessary by City Staff.
- d. **Grid Interties:** For all grid intertie solar energy systems, all power lines shall be placed underground within the interior of each parcel and between the solar energy system and its connection to the electric grid. The collection system may be placed overhead near substations or points of interconnection to the electric grid. All grid intertie systems shall have an agreement with the local utility prior to the issuance of a building permit. A visible external disconnect must be provided if required by the utility. Off grid systems are exempt from this requirement.

e. **Historic Structures:** Solar energy systems on buildings within designated historic districts or on locally designated historic buildings must receive approval by the Hastings Heritage Preservation Commission and shall be consistent with the standards for solar energy systems on historically designated buildings published by the U.S. Department of Interior

5. **Community Solar Gardens and Solar Farms:** Community solar gardens and solar farms are permitted subject to the following requirements:

a. **Ground Mounted Community Solar Gardens and Solar Farms:** Ground mounted community solar gardens and solar farms are only permitted when stipulated in the applicable zoning district in which they are located and must comply with the following requirements:

1. A minimum of five (5) acres of land is required. All ground mounted solar energy systems and solar collection appurtenant equipment must set back a minimum of twenty feet (20') from all property boundary lines.
2. Vegetative screening and buffering of the ground-mounted solar energy systems will be required as part of the conditions of approval. The developer or applicant of a solar energy project shall submit to the city for approval a screening and landscape plan. A buffer and screening plan may use a combination of trees, shrubs, fencing, and/or berms that provides year-round coverage that completely screens the solar installation from the public right-of-way and from adjacent and nearby residences. If existing screening in the form of vegetation that provides year-round coverage or site topography is such that it provides the required screening from adjacent residential properties and right-of-way, the screening requirement may be waived or reduced.
3. The electrical connection systems shall be placed underground within the interior of each parcel and between the solar energy system and the point where the interconnection to the electric grid is made.
4. Site plan required: The owner or operator shall submit to the city a detailed site plan for both existing and proposed conditions. These plans shall show the location of all areas where solar arrays would be placed, the existing and proposed structures, property lines, access points, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high-water mark for all water bodies, any other protected resources, topography, electric equipment and all other characteristics requested by the City.
5. Stormwater management, erosion and sediment control shall meet the requirements of the City and best management practices.

6. The owner or operator shall contain all unenclosed electrical conductors located above ground within structures that control access or they must be protected from entry by a six-foot-tall fence. All electrical connections to the utility system must meet or exceed the National Electrical Safety Code

b. **Roof Mounted Community Solar Gardens and Solar Farms:** Roof mounted community solar gardens and solar farms are permitted on flat roofs on principal structures in all zoning districts regardless of lot size, and must comply with the following requirements:

1. All feeder lines and grid interties shall be placed underground between the solar energy system and the point where the interconnection to the electric grid is made. The collection system may be placed overhead near substations or points of interconnection to the electric grid.
2. Roof-mounted systems shall comply with all building setbacks in the applicable zoning district and shall not extend beyond the exterior perimeter of the building on which the system is mounted or as required by Building Code.
3. Roof-mounted solar energy systems must abut an existing electric distribution system for purposes of making the interconnection to the electric grid.

c. **Decommissioning:** A decommissioning plan shall be submitted with all applications for community solar gardens or solar farm systems and must comply with the following requirements:

1. Decommissioning plans shall outline the anticipated means and cost of removing the solar energy system at the end of its serviceable life or upon the discontinuation of its use. The cost estimates shall be made by a competent party, such as professional engineer, a contractor capable of decommissioning the system, or a person with suitable expertise or experience with decommissioning. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the system. Owners of solar energy systems may rely on manufacturer's data to submit estimates.
2. Decommissioning of the system must occur within ninety (90) days from either of the following:
  - i. The end of the system's service life; or
  - ii. The system becomes a discontinued use.

3. A system shall be considered a discontinued use after one year without energy production, unless a plan is developed during the year the system is discontinued and submitted to the Community Development Director outlining the steps and schedule for returning the system back into service.
  4. The City may, at its discretion, require the owner and/or operator of the solar energy system to provide financial security in the form of a cash escrow, bond, or irrevocable letter of credit in an amount equal to one hundred twenty five percent (125%) of a cost estimate for decommissioning the system.
  5. The owner of the property where a community solar garden or solar farm is located must notify the City in writing when feeder lines and/or grid interties are disconnected from the local utility transmission line.
5. **Abandonment:** If a solar energy system remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at its expense after a demolition permit has been obtained. Removal shall include removal of the entire solar energy systems, including all solar collectors, mounting structures, and related components.

**SECTION 2. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 155, Section 155.02 Definitions shall be amended by adding the following definition:

**Interim Use.** A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

**SECTION 3. AMENDMENT.** The Code of the City of Hastings, State of Minnesota, Chapter 155, Section 155.21.E – Agriculture Interim Uses shall be stricken in its entirety and replaced with the following language:

**E. Interim Use**

1. **Purpose.** Interim Uses are allowed upon issuance of an Interim Use Permit and execution of an Interim Use Agreement establishing parameters and conditions for operation. The City Council may grant permission of an Interim Use of the property if:
  - a. The use conforms to the zoning regulations;
  - b. The date or event that will terminate the use can be identified with certainty;
  - c. Permission of the use will not impose additional costs on the public if it is necessary for the public to take over the property in the future; and

- d. The user agrees to any conditions that the City deems appropriate for permission of the use.

## 2. **Uses by Interim Use Permit.**

- a. **Interim Waiver of Site Plan Requirements.** Uses identified as permitted or by special permit may be granted an Interim Use Permit to defer the construction of certain property improvements for a defined period of time. Deferred construction items may include paving and/or curbing of a parking lot, construction of a permanent building, and other similar items. Only properties outside of the Metropolitan Urban Service Area (MUSA) may be eligible for issuance of an Interim Waiver of Site Plan Requirements. Upon termination of the Interim Waiver of Site Plan Requirements the business must comply with any deferred items to continue operation.

- b. **Ground Mounted Community Solar Gardens and Solar Farms**

## 3. **Additional Requirements.**

- a. Interim Use Permits shall be issued for a six-month probationary period as determined by City Council. The City Council may consider full issuance of an Interim Use Permit at the end of the probationary period.
- b. The site must be returned to its pre-development condition upon termination of the interim use permit.
- c. If applicable, the business must present an acceptable plan for on-site portable restrooms and trash removal.
- d. All temporary and permanent signage will require a separate sign permit.
- e. As a condition of approval, the City will need to review and approve any temporary or mobile structure.
- f. The construction of or movement of any buildings onto the property requires Site Plan Approval.
- g. Interim Use Permits shall be subject to the requirements of Chapter 30.02 (E) (2) – Special Use Permits.
- h. Hours of operations shall be reviewed.

- i. Any interim use may be terminated by a change in zoning regulations.

**SECTION 4. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

The text amendment adopted by the Hastings City Council on \_\_\_\_\_ modifies the City Ordinance to regulate solar energy systems operations and uses through the establishment of permits and performance standards.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Mary Fasbender, Mayor

Attest:

\_\_\_\_\_  
Kelly Murtaugh, City Clerk

Published in the Hastings Journal on \_\_\_\_\_





## *City Council Memorandum*

**To: Mayor Fasbender & City Councilmembers**  
**From: Chris Jenkins, Parks & Recreation Director**  
**Date: April 17, 2023**  
**Item: Community Investment Fund Recommendations**

**Council Action Requested:** Approve the Finance Committee of Council's recommendations for Community Investment Fund funding.

**Background Information:** As part of the 2023 Budget, the City Council continued the Community Investment Fund and allocated \$100,000.00 in funding for 2023.

The Community Investment Fund is focused on partnerships and civic engagement with a goal of creating and supporting vibrant, community-supported, public projects and efforts.

A review of applications was completed with the Finance Committee of Council on Wednesday, April 5<sup>th</sup>. A total of 8 applications were received. Committee and staff unanimously recommend funding for 7 of the 8 applications.

- Downtown Business Association: \$10,525.75 for holiday lighting in the downtown area. DBA matching with \$10,525.75.
- Building Remembrance for Reconciliation (BR4R): \$10,000.00 to complete Phase 2 in their process of finalizing and refining a future art project and installation. BR4R matching with \$3,000.00.
- Dakota County Historical Society, Leduc Mansion: \$12,000.00 for new shelving, archival supplies, creating of new exhibits and roofing materials for the chicken coop. DCHS matching with \$3,379.00.
- Hastings Football Club: \$27,000.00 to complete contracted core aeration and top-dressing projects in 2023 at the Veterans Athletic Complex Soccer Fields. HFC has committed to up to \$25,000.00 in funding to continue improving the soccer facilities in Hastings.
- Hastings Environmental Protectors:
  - \$4,500.00 to purchase and install 2 floating bio islands at Cari Park Pond to improve water quality and test these islands for future expanded use in Hastings. HEP matching with \$500.00
  - \$3,000.00 to install annual, rotating Dale Lewis art pieces in Vermillion Linear Park. A 3-year project, with the art piece changing annually, and coordinated with the Arts Commission.

- \$5,650.00 to purchase and install site specific pollinator interpretive and educational signage at HEP installed and maintained pollinator patches. HEP matching with \$500.00

X-E-01

**Financial Impact:**

Allocation remains within the \$100,000.00 budget allocation for the 2023 CIF. Approximately \$72,675.75 is being allocated at this time. Applicants are matching this allocation with up to \$42,904.75 to complete these projects.

A balance of \$27,324.25 remains to support additional CIF projects in 2023.

**Advisory Commission Discussion:**

Arts & Culture Commission met April 12 and was supportive of the HEP sculpture rentals. The Commission raised concerns about time/cost/coordination with City staff for installation, location of installation, and liability concerns if someone were hurt climbing on a sculpture.

**Council Committee Discussion:**

Finance Committee met on Wednesday, April 25 and offered the included, unanimous recommendation.

**Attachments:**

- N/A