

ORDINANCE NO. 2017-08, THIRD SERIES

**AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA
AMENDING HASTINGS CITY CODE CHAPTER 155 – ZONING CODE –
DOWNTOWN PARKING AND LOADING REQUIREMENTS**

BE IT ORDAINED by the City Council of the City of Hastings as follows:

Chapter 155 of the Hastings City Code – Zoning Code is hereby amended as follows
(Additions to the ordinance are underlined and section numbers may be renumbered):

§ 155.09 PARKING AND LOADING REQUIREMENTS.

(F) *Minimum and maximum off-street parking requirements.*

(6) Existing structures and uses within the C-3, DC and RMU Zoning Districts existing prior to the adoption of the Downtown Master Plan (5-5-2003) and located south of the Mississippi River, west of the CP Railroad, north of 6th Street, and east of Spring Street shall be considered in conformance with the minimum parking and loading requirements of this section, provided the use and intensity is unchanged. Conversion of existing building space of no greater than 10,000 s.f. into a restaurant, tavern, or lounge may be exempt from meeting additional parking and loading requirements upon approval of a Special Use Permit. All other parking and loading requirements for any intensification of an existing building or use, or construction of a new building shall be determined by a proof of parking study.

§ 155.26 RMU RESIDENTIAL MIXED USE

(C) *Uses by special permit*

(3) Conversion of existing building space of no greater than 10,000 s.f. into a restaurant, tavern, or lounge per Section 155.09, Subd. F.6.

§ 155.30 C-3 COMMUNITY REGIONAL COMMERCE.

(C) *Uses by special permit*

(8) Conversion of existing building space of no greater than 10,000 s.f. into a restaurant, tavern, or lounge per Section 155.09, Subd. F.6.

§ 155.31 DC DOWNTOWN CORE.

(C) Uses by special permit

(8) Conversion of existing building space of no greater than 10,000 s.f. into a restaurant, tavern, or lounge per Section 155.09, Subd. F.6.

All other sections shall remain unchanged.

ADOPTED by the Hastings City Council on this 2nd day of October, 2017

Paul J. Hicks, Mayor

ATTEST:

Julie Flaten, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 2nd day of October, 7, as disclosed by the records of the City of Hastings on file and of record in the office.

Julie Flaten, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (JH)
101 4th St. East
Hastings, MN 55033

Hastings, Minnesota
City Council Minutes
October 2, 2017

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, October 2, 2017 at 7:00 p.m. in the Council Chambers at the Hastings City Hall, 101 East 4th Street, Hastings, Minnesota.

Members Present: Mayor Hicks, Councilmembers Lund, Balsanek, Folch, Vaughan and Braucks, and Balsanek

Members Absent: Councilmember Leifeld

Staff Present: City Administrator Melanie Mesko Lee
Administrative Services Director Julie Flaten
Attorney Ben Coburn
Community Development Director John Hinzman
Finance Manager Melanie Lammers

Mayoral Proclamation – Recognizing October as National Arts and Humanities Month: Artober
Council read the Proclamation.

Bill Spinelli spoke on behalf of the Hastings Prescott Area Arts Council.

Presentation—Minnesota Veterans Home

Andrew Burnside from the Veterans Home presented information on the recently acquired bus and thanked the various sponsors.

Approval of Minutes

Mayor Hicks asked if there were any additions or corrections to the minutes of the Regular City Council Meeting on September 18, 2017.

Minutes were approved as presented.

Consent Agenda

Councilmember Folch asked to add to the agenda a discussion about BreakAway Arts Café and their sidewalk café. Mayor Hicks noted this item will be placed under Administration.

Councilmember Folch asked to have item 2 removed from the consent agenda. Mayor Hicks noted this item will be placed under Administration.

Councilmember Balsanek moved, seconded by Councilmember Vaughan to approve as amended.
Ayes 6; Nays, None.

1. Pay Bills as Audited
2. Reject Solar Garden Subscription Proposal – RenaSola Power Holdings LLC
3. Approve Designation of November 23, 2017 Gobble Gait as a Special Event
4. **Resolution 10-01-17** – Accept Donation of \$100.00 From Lawrence Builders to the Hastings Fire/EMS Department in Memory of Mary McGraw
5. Accept Proposal & Authorize Work - Well No. 7 Rehabilitation Project Professional Services (WSB & Associates)
6. Accept Proposal and Authorize Work – 2040 Surface Water Management Comprehensive Plan Updates (Barr Engineering)
7. Approve Agreement with Black Dirt Theater for Use of City Hall

Public Hearing – City Code Amendment/Rezoning – Hastings Industrial Park

Hinzman introduced the item requesting Council hold a Public Hearing and consider the following actions related to 22.2 acres owned by the City of Hastings located north of the Hastings Industrial Park. The Planning Commission previously recommended approval.

- 1) Resolution 10-02-17: Comprehensive Plan Amendment to change the land use designation from Park to Industrial Park
- 2) 2nd Reading of an Ordinance Amendment to Rezone property from PI – Public Institutional to I-1 – Industrial Park

Public Hearing opened at 7:14 p.m.

Hearing no comments.

Public Hearing was closed at 7:15 p.m.

Resolution 10-02-17 – Comprehensive Plan Amendment to change the land use designation from Park to Industrial Park

Councilmember Vaughan moved, seconded by Councilmember Folch to approve as presented. Ayes 6; Nays, None.

2nd Reading/Ordinance Amendment No. 2017-07 – City Code Amendment/Rezoning – Hastings Industrial Park

Councilmember Vaughan moved, seconded by Councilmember Folch to approve as presented. Ayes, 6; Nays, None.

Public Hearing – City Code Amendment/Rezoning – Downtown Parking for Conversion of Existing Buildings to Restaurant, Bars, and Taverns

Hinzman introduced the item requesting Council is asked hold a Public Hearing and consider 2nd Reading/Ordinance Adoption of an amendment to Hastings City Code Chapter 155 – Zoning Code pertaining to Downtown Parking and Loading Requirements. Ordinance adoption would increase the flexibility of building uses within downtown and potentially strengthening the tax base. The Planning Commission previously recommended approval. The Planning Committee of City Council also reviewed this potential request and were generally supportive of the change.

Public Hearing opened at 7:19 p.m.

Hearing no comments.

Public Hearing was closed at 7:20 p.m.

2nd Reading/Ordinance Amendment No. 2017-08 – City Code Amendment/Rezoning – Downtown Parking for Conversion of Existing Buildings to Restaurants, Bars, and Taverns

Councilmember Balsanek moved, seconded by Councilmember Braucks to approve as presented. Ayes 6, Nays, None.

Resolution 10-03-17 – Site Plan #2017-34 Caturia-Smidt Funeral Home and Crematory (3075 Vermillion Street)

Hinzman introduced the item requesting adoption of a resolution granting Site Plan approval for Caturia-Smidt Funeral Home to construct an 11,557 s.f. funeral home at 3075 Vermillion Street. The site was recently rezoned to allow the proposed use. The Planning Commission previously approved this action.

Council discussion on placement of overflow parking and landscaping barrier to neighboring properties.

A representative from Keystone Funeral Home Design addressed the parking concerns.

Councilmember Vaughan moved, seconded by Councilmember Balsanek to approve as presented.
Ayes, 6; Nays, None.

Resolution 10-04-17 – Approve Issuance and Sale of \$1,075,000 General Obligation Improvement Bonds, Series 2017A

Mayor Hicks introduced Paul Steinman from Springsted Financial Advisors to explain the results and bring forth the winning bid for acceptance of the sale of \$1,075,000 General Obligation Improvement Bonds, Series 2017A. There were 5 bids. The winning bid was at a true interest rate of 1.84% and the bond amount was reduced to reflect a premium. Council recognized work of staff for the continued AA bond rating.

Councilmember Folch moved, seconded by Councilmember Lund to approve as presented.
Ayes, 6; Nays, None.

Presentation—2018 Tourism Bureau Budget and Tourism Assessment Report

Mayor Hicks introduced Kristy Barse, president of the Hastings Chamber of Commerce, who gave an overview of the 2017/2018 Tourism Bureau Marketing Plan, 2018 Tourism Bureau Budget and Tourism Assessment Program (TAP) Report.

Council thanked Ms. Barse for the information.

BreakAway Arts Café Sidewalk Patio

Councilmember Folch asked to have an update on the status of the MnDOT owned property adjacent to BreakAway Arts Café. The owner would like to have patio seating in this area.

Reject Solar Garden Subscription Proposal – ReneSola Power Holdings LLC

Councilmember Folch asked council not to reject the solar garden subscription proposal. A PowerPoint presentation was provided and the council was asked to conduct a workshop to discuss further.

Council discussion included members of the Utilities Committee, who had previously discussed this proposal. Concerns were raised with the 25 year term of the contract, early termination fees, and non-regulation of the industry.

Council was supportive of learning more about solar garden subscriptions as part of a bigger discussion on the sustainability goals of the City.

Councilmember Lund moved, seconded by Councilmember Braucks to reject as presented. Ayes, 5; Nays, 1 (Folch dissenting)

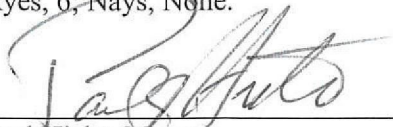
Comments from Audience

Darin Berg addressed the council.

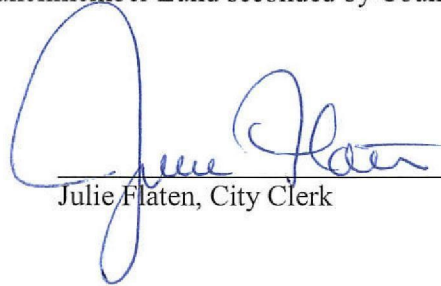
- Comprehensive Plan Steering Committee will meet on Tuesday, October 3rd at 7:00 p.m. at City Hall
- Parks and Recreation Commission will meet on Wednesday, October 4th at 6:00 p.m. at City Hall
- Planning Commission will meet on Monday, October 9th at 7:00 p.m. at City Hall
- The Fire Department will hold an Open House on Tuesday, October 10th at 7:00 p.m. at the Fire Station, 115 5th Street West
- HEDRA Commission will meet on Thursday, October 12th at 6:30 p.m. at City Hall

- Councilmember Balsanek will attend the DCC Board of Directors meeting on October 12th.

Motion to adjourn the meeting was made by Councilmember Lund seconded by Councilmember Vaughan. Meeting was adjourned at 8:17 p.m.
Ayes, 6; Nays, None.



Paul Hicks, Mayor



Julie Flaten, City Clerk