

ORDINANCE NO. 436, SECOND SERIES

**AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING
CHAPTER 10.0 OF THE HASTINGS CITY CODE HAVING TO DO WITH:**

Section 10.11 - AGRICULTURE

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

Section 10.11 (AGRICULTURE) Chapter 10 of the Hastings City code is amended by adding following text:

SUBD. 3. Uses by Special Permit. Is amended to add the following text:

- c. Motor Vehicle Impound Lots, subject to the following conditions:
 - 1. Motor vehicles cannot be kept in an impound lot for more than 14 days unless a police hold has been placed on the motor vehicle.
 - 2. No sales of motor vehicles, salvaging, repairing, dismantling, or stripping of motor vehicles shall be allowed in the impound lot.
 - 3. 100% opaque fencing or landscaping at least six feet high must be placed around the entire lot and must be adequately maintained.
 - 4. All motor vehicles impounded shall be kept within the opaque fenced or landscaped area.
 - 5. All buildings on the lot must be permanent structures with permanent foundations.
 - 6. The entire impound lot shall be surfaced with a bituminous covering, class 5 gravel, or other surface covering as approved by the City.
 - 7. A sufficiently sized bituminous area shall be provided for the parking of vehicles which may be leaking fluids or other pollutants.
 - 8. Any lighting in the impound lot shall not be obtrusive to neighboring property.
 - 9. Employees of the city or its duly appointed representatives, shall be allowed on the property at any time to inspect the impound lot to verify compliance with the City Code.
 - 10. Any special use permit issued hereunder shall be reviewed annually and at other times deemed appropriate by the City, to verify compliance with the City Code and any special conditions of the permit. As part of the review procedure, the city may hold a public hearing, preceded by the appropriate mailed and published notice. As part of any review procedure, the City may amend the permit by adding or deleting any conditions it deems necessary to protect the public health, safety, and welfare.
 - 11. All conditions imposed by City Code Section 2.04, Subd. 5, Subsection (B) (5) must be met. Additionally, the City may impose any other conditions it feels are necessary to protect the public, health, safety and welfare.

12. Any violation of this subdivision or any conditions imposed upon the special use permit shall be cause for termination of the permit by the City.

PASSED AND ADOPTED by the Hastings City Council on this 3rd day of August, 1998.

Attest:

_____/s/_____
Michael D. Werner, Mayor

_____/s/_____
Joyce P. Hottinger, City Clerk

Hastings, Minnesota
August 3, 1998

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, August 3, 1998 at 7:00 p.m. in the City Hall Council Chambers, 101 Fourth Street East, Hastings, Minnesota.

Members Present: Councilmember Yandrasits, Riveness, Johnson, Simacek, Hicks, Moratzka & Mayor Werner

Members Absent: None

Staff Members Present: Dave Osberg, City Administrator;
Mike Wozniak, Community Development Director;
John Grossman, HRA Director;
Joyce P. Hottinger, Administrative Assistant/City Clerk;
and Shawn Moynihan, City Attorney

Approval of Minutes

Mayor Werner asked whether there were any corrections or additions to the regular meeting of July 20, 1998, and hearing none, approved the minutes as presented.

Council Items to be Considered

Moved by Councilmember Simacek, seconded by Councilmember Moratzka, to add Dog Kennel/Animal Shelter License-Animal Ark as Item No. 8 to the Consent Agenda; add Resolution No.8-3-98 Calling for a Public Hearing on an issue of revenue bonds on behalf of Regina Medical Center and scheduling special City Council meeting for Monday, August 24th at 5:00 p.m. as Item No. 1 under City Administrator; and to pull Item No. 7, Goodyear Tire Center Amended Site Plan, from the Consent Agenda and place it as Item No. 6 under Community Development Director to allow for discussion on the item.

7 Ayes; Nays, None.

Consent Agenda

Moved by Councilmember Yandrasits, seconded by Councilmember Riveness, to approve the consent agenda as amended with the removal of Item No. 7, Goodyear Tire Center Amended Site Plan, to be placed under Community Development Director #6, and the addition of a Dog Kennel/Animal Shelter License-Animal Ark, as Item No. 8 to the Consent Agenda.

1. Pay All Bills as Audited
2. 1st Reading/Schedule Public Hearing - An Ordinance Amending City Charter Chapter V Taxation and Finance
3. Amend Taxi Cab License - Transfer of Vehicles - Country Cab
4. Authorization for Classification & Compensation Adjustments
5. Vacate Grove Street
6. Resolution No. 8-2-98 - Wallin 7th Addition Final Plat
7. ~~Goodyear Tire Center Amended Site Plan~~ (Moved to Community Dev. Dir. Item No. 6)
8. Dog Kennel/Animal Shelter License - Animal Ark

7 Ayes; Nays, None.

Public Hearing: Ordinance No. 436 2nd/Final Reading-Zoning Text Amendment to District Use Regulations for the Agricultured District

Mayor Werner opened the Public Hearing at 7:02 p.m. to receive comments on the proposed ordinance amendment. Mike Helget, 645 W. 31st St., questioned whether regulations for impound lots should be the same in Agriculture as Industrial Districts. Mike Wozniak clarified the applicants interest was for storage inside the Husting and Engstrom Building.

Mayor Werner asked if there were any additional public comments on the issue, and hearing none, closed the public hearing at 7:10 p.m.

Ordinance No. 436-Second/2nd Reading-Zoning Text Amendment to District Use Regulations for the Agriculture District

Moved by Councilmember Hicks, seconded by Councilmember Riveness, to approve the 2nd/Final Reading of Ordinance No. 436, Amending Chapter 10.0 of the Hastings City Code having to do with Section 10.11-Agriculture.

6 Ayes; Nays, 1-Simacek.

Public Hearing: 2nd/Final Reading City Code Amendment to Chapter 16-Shoreland Management Ordinance

Mayor Werner opened the Public Hearing at 7:11 p.m. to receive comments on the proposed Ordinance amendment. Community Development Director, Mike Wozniak, introduced the item and indicated Patrick Lynch III, DNR Area Hydrologist, had provided a letter of comment requesting Council table taking action on the item to allow an opportunity for DNR Staff to meet with City Staff on the proposed ordinance.

Mayor Werner asked if there was any public comments on the issue, and hearing none, closed the public hearing at 7:13 p.m.

2nd/Final Reading of City Code Amendment to Chapter 16-Shoreland Ordinance

Moved by Councilmember Hicks, seconded by Councilmember Yandrasits, to amend the northwest corner of the proposed shoreland overlay district map boundary to extend west along 2nd Street for approximately three blocks and north to the City property line of the storm water outlot, to include structures north of this line approximately 3-1/2 blocks.

7 Ayes; Nays, None.

Moved by Councilmember Hicks, seconded by Councilmember Yandrasits, to table taking action on the proposed ordinance, until Council receives comments on the proposed Shoreland Overlay district and entire existing Shoreland Ordinance from the DNR, HPC, and Planning Committee which should include comments on the relationship of the shoreland overlay district to the critical areas plan, and provide consideration for maintaining the riverfront area as green space.

7 Ayes; Nays, None.

Authorize Sale of Industrial Park Property/Land Credit-Eischen Cabinet Company

Councilmember Yandrasits clarified the sale reflects the Industrial Park Board's reassessment of industrial park properties.

Moved by Councilmember Yandrasits, seconded by Councilmember Riveness, to authorize the sale of Lot 4, Block 1, Hastings Industrial Park No. 6, to Paul & Jacqueline Eischen, subject to the following conditions:

1. Payment of one dollar (\$1.00) to the City at the time of sale;
2. The Purchaser shall enter into a Development Agreement with the City to memorize a commitment to construct a building and site improvements valued at \$250,000.00 and to have an annual payroll of \$200,000.00 at the site in no less than five years;
3. The Purchaser shall reimburse the City for the cost of writing the Development Agreement;
4. The Owner shall agree that they will not object if the City assess the value of the land (\$36,155) less the \$1.00 purchase price against the property in the event they do not meet the commitments specified in the Development Agreement;
5. The Owner shall enter into an Agreement as required by the State of Minnesota setting job and wage goals in return for the public assistance;
6. Site plan approval prior to closing.

7 Ayes; Nays, None.

Site Plan-Lot 4, Block 1, Industrial Park No. 6-Eischen Cabinet Company

Moved by Councilmember Hicks, seconded by Councilmember Moratzka, to approve the site plan for Eischen Cabinet Company to construct a 10,000 sq. ft. building and related site improvements on Lot 4, Block 1, Hastings Industrial Park No. 6, subject to the following conditions:

1. Modification of the site plan proposed grading to be approved by the Public Works Director;
2. Modification of the site plan to identify how City water and sanitary sewer will be provided to the proposed building;
3. Modification of the site plan to include site landscaping subject to the approval of the Community Development Director;
4. Modification of the site plan to identify site lighting subject to the approval of the Community Development Director.

7 Ayes; Nays, None.

Special Use Permit-460 Spiral Blvd., Hastings Gymnastics Center, Inc.

Moved by Councilmember Hicks, seconded by Councilmember Johnson, to approval a special use permit to allow the Hastings Gymnastics Center to operate a Gymnastics teaching and training facility at 460 Spiral Blvd.

7 Ayes; Nays, None.

Goodyear Tire Center Amendment Site Plan

Mr. Chiwon Lee, of the Hastings Inn, introduced his family David and Michael Lee present at the meeting. Mr. Lee expressed concern regarding a five foot extension to the southeast of Hastings Holiday which blocks Hastings Inn signage. Mr. Lee provided photos of the blocked sign and stated he may request future Council consideration to improve visibility of the Hastings Inn sign.

Moved by Councilmember Simacek, seconded by Councilmember Riveness, to approve an amendment to the site plan for the Goodyear Service Center, allowing the existing extension of five feet for a wing wall on the southeast and northwest corners of the Goodyear Service Center.

7 Ayes; Nays, None.

Resolution No. 8-3-98 Calling for a Public Hearing on an Issue of Revenue Bonds on behalf of Regina Medical Center

Staff members of Regina Medical Center were present. Councilmember Moratzka indicated she would be abstaining from the vote as she is a member of the Regina Hospital Board of Directors. Councilmember Yandrasits clarified the request indicating the City serves only as a conduit and issuance of such revenue bonds on behalf of Regina Medical Center does not affect the City's bond rating. Mayor Werner expressed concern over the short turn around for City Staff and Council on this issue.

Moved by Councilmember Simacek, seconded by Councilmember Yandrasits, to approve Resolution No. 8-3-98 and schedule a special City Council meeting for Monday, August 24, 1998 at 5:00 p.m.

6 Ayes; Nays, None; Abstaining 1 (Moratzka). Copy of resolution on file.

Comments from Audience

There were no comments from the audience.

New Business

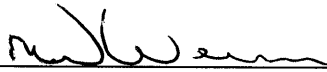
City Council announced National Night Out will be held on Tuesday, August 9, 1998.

Councilmember Moratzka announced the City received a recognition award of \$155,000 for the redevelopment of the Koch property known as the Mississippi Riverfront Restoration Project and Interpretative Center, from the Legislative Commission on Minnesota Resources.

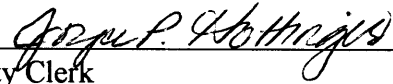
Adjournment

Moved by Councilmember Yandrasits, seconded by Councilmember Riveness, to adjourn the regular City Council meeting at 8:00 p.m.

7 Ayes; Nays, None.



Mayor

ATTEST 

City Clerk