

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Tuesday, November 13, 2018

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted in the Council Chambers of City Hall, 220 N. Hastings Avenue, on November 13, 2018.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Butch Eley, Ginny Skutnik, Jeniffer Beahm, Sarah Hoops, Scott Snell, Phil Odom, Paul Hamelink. Absent: John Harrington.

The Mayor led the group in recital of the Pledge of Allegiance to the United States of America.

Moved by Butch Eley seconded by Scott Snell to adopt current agenda for November 13, 2018 Regular Meeting. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

Mayor Stutte read the Public Notice - Pursuant to the Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

COUNCIL COMMUNICATION:

Councilmember Odom thanked all who helped to make the Veteran's Parade a success.

Councilmember Skutnik reported on the Museum Board meeting held on Friday. They are working on strategic planning and request community input.

CITIZEN COMMUNICATIONS:

Bob Parker (Attorney) and Mike Danehey (Great Plains Cattle Co.) spoke against the final plat for Wildcat Acres. Daniel Pauley (Attorney) spoke in favor of the final plat for Wildcat Acres. Michael Krings (HEDC) spoke in support of the Mezner Development.

MAYOR'S COMMUNICATIONS:

Mayor Stutte recognized Service Anniversaries for Terry Conrad, 10 years; David Ptak, 5 years; Richard Fuller, 20 years; Andy Gartner, 5 years.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by Sarah Hoops to approve all consent items, as presented. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

- (a) Approval of the minutes of the Council Meeting of October 22, 2018
- (b) Approval of the minutes of the Worksession of October 15, 2018
- (c) Approval of claims and payroll
- (d) Approve receiving and placing on file department monthly reports
- (e) Approval of the Release of Easement at 302 East "F" Street
- (f) Approval of the Release of Easement on Lot 2, Lakeview 7th Subdivision

- (g) Approval of request for CDBG funds, Drawdown #2 for \$800.00 for Grant Administration, Downtown Revitalization Project 17-DTR-105
- (h) Approval of invoice #798 from South Central Economic Development District for \$800.00 for the execution of Grant Administration services on Community Development Block Grant Project 17-DTR-105, Hastings Downtown Revitalization
- (i) Approval of Work Order WA-349
- (j) Approval of Work Order WA-355
- (k) Approval of Work Order WA-357
- (l) Approval of Work Order SL-119
- (m) Approval of Work Order GA-343

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

(a) Moved by Butch Eley seconded by Sarah Hoops to approve the final plat for Wildcat Acres Subdivision, located within the 2 mile jurisdiction of the City of Hastings, Adams County, Nebraska. Don Threewitt, Development Services Director, gave a staff report. This is a 43.95 acres subdivision, currently zoned agricultural and it will remain zoned agricultural. The confined animal feed operation, within the vicinity, has state statutes to protect existing livestock operations. Councilmember Odom stated when developments get too close to agriculture, problems are caused. Roll Call: Ayes: Paul Hamelink, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: Phil Odom. Absent: John Harrington. The motion carried.

3. Public Hearings.

(a) Public hearing on the request of the Development Services Department regarding a Comprehensive Plan amendment for North Park Commons Addition to the City of Hastings. Don Threewitt gave a staff report. An update to Comprehensive Plan will bring consistency and efficiency to the review process. No public spoke. Clerk received no objections.

ORDINANCE NO. 4567 AMENDING COMPREHENSIVE PLAN TO CHANGE DESIGNATION OF PROPERTY FROM "EMPLOYMENT", "COMMERCIAL/RETAIL OVERLAY" AND "SUBURBAN RESIDENTIAL" TO "MIXED USE NEIGHBORHOOD"

Said Ordinance was read by title and thereafter Councilmember Phil Odom moved for passage of the ordinance, which motion was seconded by Councilmember Ginny Skutnik.

The Mayor then stated the question "Shall Ordinance No. 4567 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Sarah Hoops seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion to suspend the rules was adopted by three fourths vote of the Council and the statutory rule was declared suspended for consideration of said ordinance.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted upon second and final reading and the Mayor signed and approved the ordinance. City Clerk attested the passage approval of the same and affixed her signature thereto. Published in the Hastings Tribune on November 16, 2018. Effective date of the ordinance is November 29, 2018.

(b) Public hearing on the request of the Hastings Economic Development Corporation for a zoning change for Lot 1, Block 2 of North Park Commons Addition to the City of Hastings. Don Threewitt gave a staff report. This will develop an apartment community beginning with 82 units. No public spoke. Clerk received no objections.

ORDINANCE NO. 4568 AMENDING THE ZONING DISTRICT MAP TO REZONE PROPERTY FROM "AP, AGRICULTURAL PLANNED DISTRICT" TO "R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT"

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance, which motion was seconded by Councilmember Sarah Hoops.

The Mayor then stated the question "Shall Ordinance No. 4568 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

Councilmember Butch Eley moved that the statutory rule requiring reading on three different days be suspended; Councilmember Ginny Skutnik seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion to suspend the rules was adopted by three fourths vote of the Council and the statutory rule was declared suspended for consideration of said ordinance.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted upon second and final reading and the Mayor signed and approved the ordinance. City Clerk attested the passage approval of the same and affixed her signature thereto. Published in the Hastings Tribune on November 16, 2018. Effective date of the ordinance is November 29, 2018.

(c) Public hearing on the request of the Hastings Economic Development Corporation for a zoning change for Lot 1, Block 4 of North Park Commons Addition to the City of Hastings. Don Threewitt gave staff report on the future home community. No public spoke. Clerk received no objections.

ORDINANCE NO. 4569 AMENDING THE ZONING DISTRICT MAP TO REZONE PROPERTY FROM "AP, AGRICULTURAL PLANNED DISTRICT" TO "R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT"

Said Ordinance was read by title and thereafter Councilmember Ginny Skutnik moved for passage of the ordinance, which motion was seconded by Councilmember Jeniffer Beahm.

The Mayor then stated the question "Shall Ordinance No. 4569 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Sarah Hoops seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None.

Absent: John Harrington. The motion to suspend the rules was adopted by three fourths vote of the Council and the statutory rule was declared suspended for consideration of said ordinance.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted upon second and final reading and the Mayor signed and approved the ordinance. City Clerk attested the passage approval of the same and affixed her signature thereto. Published in the Hastings Tribune on November 16, 2018. Effective date of the ordinance is November 29, 2018.

(d) Public hearing on the request of the Community Redevelopment Authority of the City of Hastings to consider Plan Modification #09.18.18A to Redevelopment Area I. Don Threewitt gave staff report. Use of Tax Increment Financing (TIF) associated with all three levels of the old Cash-way Candy building. This project will renovate a historical building. No public spoke. Clerk received no objections.

Moved by Butch Eley seconded by Scott Snell to approve Resolution No. 2018-61...Approving Redevelopment Plan Modification #09.18.18A to Redevelopment Area I. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(e) Public hearing on the request of the Community Redevelopment Authority of the City of Hastings to consider Plan Modification #09.18.18B to Redevelopment Area XIII. Don Threewitt gave a staff report. This is a TIF project for acquisition and rehabilitation associated with the old Village Inn property. The company will relocate and add nine jobs. No public spoke. Clerk received no objections.

Moved by Sarah Hoops seconded by Ginny Skutnik to approve Resolution No. 2018-62... Approving Redevelopment Plan Modification #09.18.18B to Redevelopment Area XIII. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(f) Public hearing on the request of the Development Services Department to amend Hastings City Code Chapter 34, Zoning, by adding Section 34-320, Solar Energy Uses. Don Threewitt gave a staff report. The city wants a clear, flexible, streamlined code. Keith Marvin (consultant) was in attendance to answer any questions.

ORDINANCE NO. 4573 ENACTING A NEW SECTION 34-320 PROVIDING FOR SOLAR ENERGY USES

Said Ordinance was read by title and thereafter Councilmember Scott Snell moved for passage of the ordinance, which motion was seconded by Councilmember Sarah Hoops.

The Mayor then stated the question "Shall Ordinance No. 4573 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Scott Snell seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None.

Absent: John Harrington. The motion to suspend the rules was adopted by three fourths vote of the Council and the statutory rule was declared suspended for consideration of said ordinance.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted upon second and final reading and the Mayor signed and approved the ordinance. City Clerk attested the passage approval of the same and affixed her signature thereto. Published in the Hastings Tribune on November 16, 2018. Effective date of the ordinance is November 29, 2018.

(g) Public hearing on the application of Casey's Retail Company dba "Casey's General Store #2752" for a Class "D" Liquor License at 1725 W. 2nd Street. Chief Story stated this is a standard application for the business. No public spoke. Clerk received no objections.

Moved by Ginny Skutnik seconded by Butch Eley to approve Resolution No. 2018-63... Approving the application of Casey's Retail Company dba "Casey's General Store #2752" for a Class "D" Liquor License at 1725 W. 2nd Street. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(h) Moved by Ginny Skutnik seconded by Jeniffer Beahm to approve the manager application of Tina M. Krings in connection with the Class "D" Liquor License of Casey's Retail Company dba "Casey's General Store #2752" located at 1725 W. 2nd Street. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

4. General Business.

(a) Moved by Phil Odom seconded by Paul Hamelink to table the final plat for Pioneer Trail Flats Subdivision. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(b) Moved by Ginny Skutnik seconded by Butch Eley to approve the final plat for Osborne View Estates Subdivision. Don Threewitt gave staff report. The plat will facilitate development of phase 1. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(c) Moved by Sarah Hoops seconded by Scott Snell to approve the letter agreement amendment #1 which supplements the January 16, 2017 agreement for the Landfill design services with Olsson Associates at the fee, not to exceed \$73,420.00 and authorize the Mayor to execute said agreement. Dave Wacker, City Engineer, stated part of the project is now a requirement of NDEQ to have outside inspection services. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(d) Moved by Butch Eley seconded by Ginny Skutnik to approve directing the City Engineer to cause placement of "No Parking Signs" adjacent to the corner of 5th Street and Marian Road. The Police Department noticed individuals parking between pedestrian crosswalks. This will help enforcement. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(e) Clerk advised there were no objections to Street Improvement District 2018-1...Lakeview Avenue. The paving district is valid.

(f) Moved by Phil Odom seconded by Butch Eley to approve Change Order No. 2 to IES Commercial, Inc. for WEC-1 Switchgear Replacement Electrical Equipment Installation for a net addition of \$222,016.71. Al Meyer, Utility Assistant Manager, reported this reflects scope and design changes. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(g) Moved by Ginny Skutnik seconded by Jeniffer Beahm to approve the SHABRI Application - Funding Request in the amount of \$25,000. Maggie Vaughn, Hastings Economic Development, spoke with utility board asking for \$25,000. SHABRI will create eight new jobs in order to receive these funds. They must fulfill requirements of maintaining those jobs for two years. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(h) Moved by Scott Snell seconded by Sarah Hoops to award bid to: NMC Inc., 11002 Sapp Bros Drive, Omaha, NE 68138, for the furnishing of one (1) 2019-Year Caterpillar 826K Landfill Compactor. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

(i) Moved by Butch Eley seconded by Scott Snell to award the bid to purchase two (2) 2020 police package SUV vehicles in the amount of \$70,688.00 to Hastings Ford. Chief Story reported that one bid was received. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4574 VACATING LOFTS SUBDIVISION OF THE CITY OF HASTINGS

Said Ordinance was read by title and thereafter Councilmember Ginny Skutnik moved for passage of the ordinance, which motion was seconded by Councilmember Butch Eley.

The Mayor then stated the question "Shall Ordinance No. 4574 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Sarah Hoops seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion to suspend the rules was adopted by three fourths vote of the Council and the statutory rule was declared suspended for consideration of said ordinance.

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6. Final Passage of Ordinances.

None.

7. Appointments.

None.

8. Miscellaneous and Other Business.

None.

Moved by Butch Eley seconded by Scott Snell there being no further business to adjourn at 6:20p.m. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: John Harrington. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)