

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, March 11, 2019

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 March 11, 2019.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Jeniffer Beahm, Ginny Skutnik, Butch Eley, Chuck Rosenberg, Paul Hamelink, Matt Fong, Ted Schroeder, Scott Snell. Absent: None.

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

Moved by Butch Eley seconded by Ginny Skutnik to adopt current agenda for March 11, 2019 Regular Meeting. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 Hamelink reported on the Airport Advisory Board and Hastings Police Retirement Committee meetings.

Councilmember Rosenberg reported on the Hastings Firefighter Retirement Committee meeting.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte invited the Boyscout Troop in attendance to the podium for recognition.

Mayor Stutte recognized service anniversaries for Steve Brouillette, 15 years; Rodney Hermann, 10 years; Shane Stone, 10 years; Norman Woodhead, 10 years; Kevin Gawrych, 10 years; David Pearce, 5 years; Darren Hofmann, 25 years.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by Jeniffer Beahm to approve all consent items, as presented.

Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(a) Approval of the minutes of the Council Meeting of February 26, 2019

(b) Approval of the minutes of the Worksession of February 18, 2019

(c) Approval of claims and payroll

(d) Approve receiving and placing on file department monthly reports

(e) Approval of Work Order EL-66

(f) Approval of Work Order SW-337

(g) Approval of Work Order WA-362

(h) Approval of Work Order WA-364

(i) Approval of Work Order WA-365

(j) Approval of Work Order WA-366

(k) Approval of the request of Hastings Community Arts Council to utilize city streets for the Downtown Do The Brew on April 27, 2019

(l) Approval of the request of the Hastings Community Arts Council/Do The Brew for a Special Designated License for an event to be located at 1st Street and St. Joseph Avenue on April 27, 2019 with an alternate location of the Hastings City Auditorium, 400 N. Hastings Avenue

(m) Approval of the request of Highland Park Farmers' Market to utilize city property for the Highland Park Farmers' Market from June 8, 2019 thru November 2, 2019

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of the City of Hastings Fire Department to adopt the 2018 International Fire Code. Brad Starling, Fire Chief, reported the city has been operating from the 2003 International Fire Code, since 2004. Staff reviewed revisions in code since 2004 and worked with Development Services to ensure changes made in the Fire Code were reflected in the Building Code. Per City Council recommendations at a recent worksession, sprinkler systems will be optional in 1-2 family residences. No public spoke. City Clerk received no objections.

ORDINANCE NO. 4581 ADOPTING THE 2018 INTERNATIONAL FIRE CODE

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. 4581 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 March 15, 2019. Effective date of the ordinance is March 27, 2019.

(b) Public hearing regarding the request of the City of Hastings Development Services Department to adopt the 2018 International Building Code, 2018 International Residential Code, 2018 International Mechanical Code, 2018 International Plumbing Code, 2018 International Existing Building Code, 2018 International Property Maintenance Code, 2018 NFPA 54 Fuel Gas Code and the 2017 NFPA 58 LP Gas Code. Don Threewitt, Development Services Director, reported all codes listed are considered in the International Code family. The Electrical Code was brought up-to-date last year. The code was amended to make sprinklers optional for 1-2 family residences. No public spoke. City Clerk received no objections.

ORDINANCE NO. 4583 ADOPTING 2018 INTERNATIONAL BUILDING CODE, 2018 INTERNATIONAL RESIDENTIAL CODE, 2018 INTERNATIONAL MECHANICAL CODE, 2018 INTERNATIONAL PLUMBING CODE, 2018 INTERNATIONAL EXISTING BUILDING CODE, 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 NFPA 54 FUEL GAS CODE AND THE 2017 NFPA 58 LP GAS CODE

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

The Mayor then stated the question "Shall Ordinance No. 4583 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 March 15, 2019. Effective date of the ordinance is March 27, 2019.

(c) Public hearing to amend Hastings City Code Section 34-309, Signs. Don Threewitt reported he has been working with a consultant since August to get the sign code simplified. The goal has been to make the code clearer, streamlined, fair and flexible. There will be a temporary sign permit registration online, but at no cost to the applicant. No public spoke. City Clerk received no objections.

ORDINANCE NO. 4584 AMENDING HASTINGS CITY CODE SECTION 34-309, SIGNS

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

The Mayor then stated the question "Shall Ordinance No. 4584 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 March 15, 2019. Effective date of the ordinance is March 27, 2019.

(d) Public hearing on the request of the City of Hastings Community Redevelopment Authority on behalf of Boys 3 MCP, Inc. for Plan Modification 2019-1 to Redevelopment Area XIV for Lot 1, North Park Commons First Subdivision. Don Threewitt reported the applicant's plan to build a convenient store on this property. They are seeking Tax Increment Financing. Randy Chick, CRA Representative, spoke in support of this project. City Clerk received no objections.

Moved by Scott Snell seconded by Ted Schroeder to approve Resolution 2019-3...Approving Plan Modification 2019-1 to Redevelopment Area XIV for Lot 1, North Park Commons First Subdivision. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(e) Public hearing regarding the request of Westbrook Village, LLC to bring Shadow Ridge 9th Addition within the corporate limits of the City of Hastings. Don Threewitt reported this is a housekeeping measure. Property owners are dividing up a remnant parcel, and must replat and rezone. No public spoke. City Clerk received no objections.

Moved by Ginny Skutnik seconded by Butch Eley to approve the request of Westbrook Village, LLC to bring Shadow Ridge 9th Addition within the corporate limits of the City of Hastings. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(f) Public hearing on the final plat for Shadow Ridge 9th Addition. No public spoke. City Clerk received no objections.

Moved by Butch Eley seconded by Matt Fong to approve the final plat for Shadow Ridge 9th Addition. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(g) Public hearing on the request of Westbrook Village, LLC for a zoning change from "R-1 Single Family Residential" and "A Agricultural" to "R-1 Single Family Residential" for Shadow Ridge 9th Addition. Don Threewitt reported this is a rezone for the property previously discussed. No public spoke. City Clerk received no objections.

ORDINANCE NO. 4585 APPROVING ZONING CHANGE FROM "R-1 SINGLE FAMILY RESIDENTIAL" AND "A AGRICULTURAL" TO "R-1 SINGLE FAMILY RESIDENTIAL" FOR SHADOW RIDGE 9TH ADDITION

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

The Mayor then stated the question "Shall Ordinance No. 4585 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 March 15, 2019. Effective date of the ordinance is March 27, 2019.

(h) Public hearing regarding the request of the City of Hastings to bring Coal Train First Addition into the corporate limits of the City of Hastings. Don Threewitt reported this property is south of and adjacent to the power plant. Intent is to adequately position this property for future development or disposal. No public spoke. City Clerk received no objections.

Moved by Butch Eley seconded by Scott Snell to approve bringing Coal Train First Addition into the corporate limits of the City of Hastings. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(i) Public hearing on the preliminary/final plat for Coal Train First Addition. No public spoke. City Clerk received no objections.

Moved by Ginny Skutnik seconded by Scott Snell to approve the preliminary/final plat for Coal Train First Addition. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

4. General Business.

(a) Moved by Butch Eley seconded by Matt Fong to approve a preliminary/final plat for Vintage Heights 3rd Subdivision. Don Threewitt reported this is related to the planned district rezone.

Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Moved by Ginny Skutnik seconded by Matt Fong to authorize execution of Professional Services Agreement No. 18-PP-003 presented by SCEDD, Inc., to provide general administrative services for the City's CDBG Planning Grant to conduct a Universal Mobility Study. Don Threewitt reported, in contracting with South Central Economic Development District (SCEDD), an administrative contract is required to provide services. The City of Hastings has been awarded a CDBG Public Works planning grant. The requested funds will be utilized to conduct a universal mobility study of the existing city sidewalk network, focusing on curb ramps and ADA accessibility of sidewalks. The city is required to use the services of a certified administrator. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Moved by Butch Eley seconded by Ted Schroeder to approve the Agreement for Professional Services with Olsson for the Landfill Gas Tier II Emission Study evaluation NMOC Study in the amount of \$32,400. Dave Wacker reported this is an unfunded mandate by Nebraska Department of Environmental Quality (NDEQ) and Environmental Protection Agency (EPA). The landfill is required every five years to submit a methane test. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(d) Moved by Ginny Skutnik seconded by Matt Fong to approve Hastings Half Races to be held on June 1, 2019, along with routes, attached conditions, insurance and exhibits. Dave Wacker reported that Mike Florek met with city staff to work out details of the event. Subsequent to this approval, council will also approve a 30-day advanced notification of using the state highway during the race.

Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

5. Ordinances and Resolutions.

(a) Moved by Matt Fong seconded by Ginny Skutnik to approve Resolution No. 2019-2...Giving advance notice to the Nebraska Department of Roads that the City of Hastings intends to conduct a special event to be known as the "Half Hastings Races" requiring the closing of a portion of the state highway system on June 1, 2019. Dave Wacker, City Engineer, reported this is in conjunction with the preceding item. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) ORDINANCE NO. 4582 AMENDING SECTION 3-305 REGARDING AGE REQUIREMENT FOR EMPLOYMENT WITH THE CITY OF HASTINGS

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

Jeff Hassenstab, Parks & Recreation Director, reported this is at the request of the Parks & Recreation Department. The number of job applicants has declined over the years. Lowering the age requirement would increase the volume of the applicant group.

The Mayor then stated the question "Shall Ordinance No. 4582 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 March 15, 2019. Effective date of the ordinance is March 27, 2019.

(c) Moved by Chuck Rosenberg seconded by Matt Fong to approve Resolution No 2019-4...Approving plans, specifications, and estimate of costs for Street Improvement District No. 2018-1. Dave Wacker reported this is a bond transcript requirement for the paving district. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

6. Final Passage of Ordinances.
None.

7. Appointments.

(a) Mayor Stutte extended the offer to contact him if a citizen would like to volunteer for boards or commissions.

BOARD OR COMMISSION	APPOINTEE	DATES OF TERM	REPLACING OR REAPPOINTMENT
Business Improvement Board	Andrew Vrbas	3-11-19 to 3-11-22	Reappoint
Business Improvement Board	Eldon Orthman	3-11-19 to 3-11-22	Reappoint
Business Improvement Board	Tony Harman	3-11-19 to 3-11-22	Reappoint
City Planning Commission	Gavin Raitt	3-11-19 to 3-11-22	Reappoint
City Planning Commission	Marshall Gaines	3-11-19 to 3-11-22	Reappoint
City Tree Board	William Locke	3-11-19 to 3-11-22	Reappoint
City Tree Board	Margaret Hermes	3-11-19 to 3-11-22	Reappoint
City Tree Board	Jane Marie	3-11-19 to 3-11-22	Reappoint
City Planning Commission	Ann Hinton	3-11-19 to 3-11-22	Replacement

Moved by Matt Fong seconded by Ginny Skutnik to approve appointments to Boards and Commissions. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

8. Miscellaneous and Other Business.
None.

9. Closed Session.

Moved by Ginny Skutnik seconded by Scott Snell to move into closed session for reason of personnel and negotiations at 6:11p.m. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Ginny Skutnik seconded by Scott Snell to come out of closed session at 7:25p.m. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Butch Eley seconded by Jeniffer Beahm there being no further business to adjourn at 7:25p.m. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)