

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, February 10, 2020

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 February 10, 2020.

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

The following City Officials were present: City Administrator, David Ptak; City Attorney, Clint Schukei; City Clerk, Kimberly Jacobitz; Police Chief, Adam Story; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; City Engineer, David Wacker; Utility Manager, Kevin Johnson; IT Director, Kevin Schawang; Director Development Services, Lisa Parnell-Rowe; HR Director, Lori Hartman; Library Director, Amy Hafer.

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 February 10, 2020 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 Skutnik reported on the recent Tree Board meeting. The only item of business was to review bids for tree trimming.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte welcomed Lisa Parnell-Rowe to her first day as the Director of Development Services. He also recognized individuals from Scout Troop 200.

Mayor Stutte recognized service anniversaries for Rose Mary Datus, Library 10 years; Diane Parker, Engineering, 5 years; Robert Wahl, Street, 15 years; Trevor Terwey, Fire, 5 years; Brandan Lubken, Utility, 10 years; Albert Boner, Utility, 35 years; Travis Tinsman, Utility, 10 years; Robert Davis, Utility, 5 years; Stephen Schmidt, Utility, 15 years.

CONSENT AGENDA:

1. All Consent Items.

Moved by Matt Fong seconded by Paul Hamelink 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 January 27, 2020

(b) Approval of claims and payroll

(c) Approval of the renewal of 2020-2021 Liquor License Applications for the following: **Class "A"** On Sale Beer - Dunning Investments, Inc.; **Class "B"** Off Sale Beer - Thomsen Oil Co.; **Class "D"** Package Liquor - AWC, LLC, Bosselman Pump & Pantry, Inc., Casey's Retail Company (3), Cooperative

Producers, Inc. (2), GNS Corporation (2), Hoff Brothers, Inc. (4), L.C.S., Inc., Pester Marketing Company, Walmart, Inc., Walgreen Company; **Class "I"** Liquor, Wine, Beer - AFJ, Inc., BPOE Lodge 159, Central Community College Area, Frew Enterprises, LLC, Golden Coast, Inc., Hastings Hospitality, Inc., Ninja House, Inc., The Listening Room, Inc., Rafael Ayala, The Wandering Well, LLC; **Class "K"** Catering - BPOE Lodge 159, Central Community College Area, Steeple Brewing Company, LLC, The Wandering Well, LLC; **Class "L"** Craft Brewery - No Coast Brewing, LLC, Steeple Brewing Company, LLC; **Class "M"** Bottle Club - Jonathon Canterbury
(d) Approval of the request of the Hastings City Public Library to utilize city streets for the Summer Reading Kick-Off on May 31, 2020

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.
None.

3. Public Hearings.

(a) Public hearing regarding a request by the City of Hastings Development Services Department to amend City Code Chapter 34, Section 34-201, A Agricultural districts and Section 34-404, Specific Standards for Conditional Uses. Lisa Parnell-Rowe, Director of Development Services, reported this ordinance is to add standards that were not previously in city code. This ordinance establishes lot requirements, including feedlots in agricultural districts. No public spoke. No objections were received.

ORDINANCE NO. 4619 AMENDING CITY CODE CHAPTER 34, SECTION 34-201, A AGRICULTURAL DISTRICTS AND SECTION 34-404, SPECIFIC STANDARDS FOR CONDITIONAL USES

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

The Mayor then stated the question "Shall Ordinance No. 4619 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 February 14, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(b) Public hearing regarding a request by the City of Hastings Development Services Department to amend City Code Chapter 34 by adding WPO Wellhead Protection Overlay district. Lisa Parnell-Rowe reported this is more of an amendment to City Code Chapter 34, adding a section on Wellhead Protection Overlay district. Adams County created a Wellhead Protection Area and requested the city to consider it also, in order to have consistency among other jurisdictions. This came along from the expansion of the two-mile Extra-Territorial Jurisdiction boundary. This only applies to those areas designated by Nebraska Department of Environmental Quality. Minimum lot requirements are listed. No public spoke. No objections were received.

ORDINANCE NO. 4620 AMENDING CITY CODE CHAPTER 34 BY ADDING WPO WELLHEAD PROTECTION OVERLAY DISTRICT

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

The Mayor then stated the question "Shall Ordinance No. 4620 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 Scott Snell 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 February 14, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(c) Public hearing regarding a request by the City of Hastings Development Services Department to amend City Code Chapter 34 by adding DSO Dark Sky Overlay district. Lisa Parnell-Rowe reported this is adding a Dark Sky Overlay district. It is an amendment to code and applies to those living in the proposed district, around the Hastings College Observatory on Wabash Avenue. This is the adoption of only the primary dark sky preserve boundary. The provisions of the secondary dark sky preserve boundary appear to already be covered within the code. It addresses safety, security, and utility concerns. No public spoke. No objections were received.

ORDINANCE NO. 4621 AMENDING CITY CODE CHAPTER 34 BY ADDING DSO DARK SKY OVERLAY DISTRICT

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

The Mayor then stated the question "Shall Ordinance No. 4621 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 Ted Schroeder 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 February 14, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

4. General Business.

(a) Moved by Butch Eley seconded by Ginny Skutnik to approve the Lease Agreement, Addendum #4, between the City of Hastings Police Department and the Department of Administrative Services on behalf of the Nebraska State Patrol for office space at 317 South Burlington Avenue. Police Chief Adam Story reported on extending the lease agreement between the City of Hastings Police Department and the Nebraska State Patrol. The State Patrol has been in the police building for approximately 20 years. The city receives a little over \$700 per month. The lease is renewed every two years.

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 Matt Fong seconded by Scott Snell to approve Downtown Revitalization (DTR) 2019 Facade Program Guidelines. Randy Chick, BID Director, reported that in December of 2019 the city received \$400,000 allocation of CDBG funds for downtown revitalization. One of the special conditions is the City Council must approve guidelines for this funding. 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 Chuck Rosenberg seconded by Ginny Skutnik to approve award to: Bergkamp, Inc., for a 2021, Freightliner, M2 106 Cab and Chassis Asphalt Pothole Patcher Body in the amount of \$243,207.96. Dave Wacker, City Engineer, reported this is a budgeted unit for Street Department. This was advertised and posted on the city's website. Three bids were received. Steve Kostner (Street Superintendent), Dave Garrett (Street Foreman), and Dustin Lockling (Street Mechanic) reviewed the bids and specifications. One bid did not meet the specifications. Roger Nash, Finance Director, reported this item was budgeted as \$100,000 down payment, with two consecutive payments of approximately \$75,000 over the next two budget cycles. Councilmember Rosenberg stated that he contacted Steve Kostner after the bid for reasoning of not recommending the lowest bid. Steve explained that the equipment was not comparable and had potential safety issues. 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 Paul Hamelink seconded by Ginny Skutnik to approve awarding bid to Nebraska Truck Center, Inc., Grand Island Nebraska for a 2021 Freightliner truck in the amount of \$124,015. (33,000 GVW cab and chassis truck with dump body and snow plow for the Street Department) Dave Wacker reported this is a budgeted item for Street Department. We received bids from two companies: Nebraska Truck Center and Hansen International Truck. Nebraska Truck Center provided three alternatives for the body and snow plow attachment. Staff evaluated the bids and felt the lowest and best bid is to award to Nebraska Truck Center for the 2021 Freightliner with the 108SD with Klute Truck Equipment. Roger Nash, Finance Director, reported this is in the budget as a \$70,000 down payment, and one final payment in fiscal year 2021. Daimler Truck Financial only finances for two-year contracts. Our only other option would be direct financing through a bank. He does not believe the city has passed a resolution to allow this process. His recommendation is to pay for this equipment in full and budget accordingly in fiscal year 2021 for the additional impact from this year. 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 Ginny Skutnik seconded by Butch Eley to approve Resolution 2020-9... Approving signing of the Year-End Certification of the City Street Superintendent Form-2019. Dave Wacker reported this allows an incentive payment to the city in the amount of \$7,500 for designating a Street Superintendent, in conformance of law. The Roads Department found it necessary to go on an annual basis for certification. This will come before the council annually from this point forward. Dave Wacker and Steve Kostner are both licensed as Class A Street Superintendents. 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.

None.

8. Miscellaneous and Other Business.

None.

Moved by Ginny Skutnik seconded by Matt Fong to move into closed session to discuss personnel at 6:06 P.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 Matt Fong to come out of closed session at 6:46 P.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 Scott Snell there being no further business to adjourn at 6:46 P.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)