

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, May 11, 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 May 11, 2020, as allowed by the executive order issued from Governor Ricketts on March 17, 2020.

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

The following City Officials were present: City Administrator, David Ptak; City Attorney, Clint Schukei; City Clerk, Kimberly Jacobitz; Asst. City Clerk, Lori Vorderstrasse; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; Fire Chief, Brad Starling; Utility Manager, Kevin Johnson; IT Director, Kevin Schawang; Development Services Director, Lisa Parnell-Rowe; Interim City Engineer, Lee Vrooman; Airport Manager, Deb Bergmann.

Moved by Butch Eley seconded by Ginny Skutnik to adopt current agenda for May 11, 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.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, May 8, 2020. Pursuant to 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 can be found on the City of Hastings website, cityofhastings.org.

COUNCIL COMMUNICATION:

Councilmember Skutnik reported the Museum Board met last week. They discussed concerns on revenue streams. She asked citizens to view the city's website for digital items from the museum. There is an item on the agenda on expenditure for the design of the Navy Ammunition Depot exhibit. She thanked the community for their support with sales tax and donations.

CITIZEN COMMUNICATIONS:

Alton Jackson spoke on the forensic structural analysis for the viaduct.

MAYOR'S COMMUNICATIONS:

Mayor Stutte reported on Governor Ricketts' press conference. Restrictions will be loosened in Adams County on Monday, May 18th. Please refer to the South Heartland District Health Department's website for specific information on Directed Health Measures.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by Matt Fong 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 April 27, 2020

(b) Approval of claims and payroll

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

(d) Approval of Work Order EL-116, install 480V service to Crystal Creek at Burlington Avenue north of M Street

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of Sean Daly for a Preliminary Development Plan for property zoned CP-0, Commercial Office within a Planned District Overlay, for Primus Companies Hastings Dental Office located on property described as Lot 3, Anderson Second Subdivision. Lisa Parnell-Rowe reported this is located in the Anderson Subdivision, at North Shore Drive and Osborne Drive West. Dental services are allowed in this zone. The intent of a planned district is to provide maximum flexibility in the development of property and at the same time to preserve and maintain the character and integrity of adjacent lands. Paul Newman, Project Architect, spoke on the item. No objections were received.

Moved by Chuck Rosenberg seconded by Ginny Skutnik to approve Resolution 2020-29, approving a Preliminary Development Plan, for property zoned CP-0, Commercial Office within a Planned District Overlay, for Primus Companies Hastings Dental Office located on property described as Lot 3, Anderson Second Subdivision, City of Hastings, Adams County, Nebraska. The council discussed concerns on mitigating light pollution, drainage issues, and speeding in the area. Visual barriers between the dental office and abutting residential lot were also discussed. There is no on-street parking, as the parking lot size is adequate. 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) Public hearing on the request of OASIS Church for a Conditional Use Permit for a Church Use for property commonly addressed as 408 North Minnesota Avenue. Lisa Parnell-Rowe reported the church will be leasing a store front location under the conditional use permit. It is compatible with existing land uses, has no permanent negative impacts, and ensures the maintenance of property values. No public spoke. No objections were received.

Moved by Matt Fong seconded by Butch Eley to approve Resolution 2020-26, approving the request of OASIS Church for a Conditional Use Permit for a Church Use for property commonly addressed as 408 North Minnesota Avenue. 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) Public hearing on the request of the Community Redevelopment Authority regarding Plan Modification No. 2020-2 to Redevelopment Plan Number 1 commonly addressed as 615 West 1st Street. Lisa Parnell-Rowe reported this will be a nice fit for mixture in the downtown area. Randy Chick, Community Redevelopment Authority Director, was available for questions. No public spoke. No objections were received.

Moved by Scott Snell seconded by Ginny Skutnik to approve Resolution 2020-25, Plan Modification No. 2020-2 to Redevelopment Plan #1 for Lots 4 and 5, Block 26, Original Town of Hastings, Adams County, Nebraska, commonly addressed as 615 West 1st Street. 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) Public hearing on the request of Mark Keller to change zoning from R-1, Urban Single Family Residential District and R-1A, Urban Single Family Large Lot Residential District to R-1A, Urban Single Family Large Lot Residential District for Keller Pointe Second Subdivision. Lisa Parnell-Rowe reported this would rezone and fits nicely with future land use. No public spoke. No objections were received.

ORDINANCE NO. 4628 AMENDING THE ZONING DISTRICT MAP TO REZONE KELLER POINTE SECOND SUBDIVISION FROM R-1, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT AND R-1A, URBAN SINGLE FAMILY LARGE LOT RESIDENTIAL DISTRICT TO R-1A, URBAN SINGLE FAMILY LARGE LOT 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 Chuck Rosenberg.

The Mayor then stated the question "Shall Ordinance No. 4628 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 Matt Fong 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 May 15, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(e) Moved by Butch Eley seconded by Ginny Skutnik to approve the Preliminary/Final Plat for Keller Pointe Second Subdivision in the City of Hastings, Adams County, Nebraska. Lisa Parnell-Rowe reported this is the plat from an earlier item. Keller split this into two lots. They are adding and incorporating a piece of that into Lot 2. 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 Ginny Skutnik seconded by Matt Fong to approve moving the City Council Meeting from Monday, May 25, 2020 to Tuesday, May 26, 2020 at 5:30 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.

(b) Moved by Chuck Rosenberg seconded by Ginny Skutnik to approve Preliminary Plat for Hastings Rural Fire Subdivision, a tract of land located in the Northwest 1/4 of Section 25-T7N-R10W of the 6th P.M., Adams County, Nebraska, being within the two-mile extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska. Lisa Parnell-Rowe reported this is taking property that is unplatted into two lots. The plat of Lot 1 has existing structures and Lot 2 is where the new fire building will be placed. This will come back as a final plat. 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 Matt Fong seconded by Ginny Skutnik to approve the fence height increase for Kandy Brown at 414 W. 2nd Street. Lisa Parnell-Rowe reported the submittal exceeded the requirement of seven feet in height. This will approve a height deviation to nine feet and will not interfere with other properties. 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 Butch Eley to approve the Retainer Agreement with Engineering Specialists, Inc. of Omaha, Nebraska, to do a condition assessment and forensic structural analysis of the Old Highway 281 Viaduct, a/k/a 16th Street Viaduct.

Mayor Stutte stated this was discussed at the worksession. Nobody is excited to raise taxes. Citizens will have the ability to vote on the viaduct, with clear ballot language, after the forensic analysis is completed.

Dave Ptak reported this has been an ongoing concern on how much this repair may cost. Olsson Associates did a visual bridge inspection. This contract will involve inspection, assessment, and forensic structure analysis of the bridge. The base contract is approximately \$53,000. The engineering firm

recommended forensic analysis of three out of the nine piers. We would test the best one, worst one, and one at random. The cost per pier is approximately \$14,000 each. Testing three piers would increase the contract another \$42,000, for a total amount of \$95,000. This cost would be incorporated into the total cost of repair. This is a public safety concern, so we do not want it to look nice if it won't give us additional lifespan we expect to have out of it from a full repair. This would be the second time this viaduct would be repaired. We need to provide a fair and reasonable cost, backed up with scientific data. Dave talked to Union Pacific (UP) representatives today. He talked to a representative from the consulting firm the UP outsources for their inspection and flagging when a project is done. It would cost approximately \$1,400 per day to have a flag person onsite. The approximate total cost given to Dave Ptak was \$50,000. This would include an engineering review of the plans and specifications for the repair. It would then go through design and insurance through the UP system itself. We would then enter into a construction and maintenance agreement through the UP call center. This cost would be realized whether the bridge is repaired or demolished. This would not add much cost for the benefit of giving us accurate information on what the repair needs to be.

Councilmember Rosenberg stated he talked to the petitioners and they would be fine using the Olsson estimate. They agreed it would be fine to tear down the bridge if the estimate to repair is over \$5 million. He wants the ballot language to include 'not to exceed \$5 million'. He does not want the city to spend \$95,000 on the forensic analysis, in case voters decide not to repair. The analysis could be done after the vote, if the voters want the repairs.

Mayor Stutte stated a concern with the 'not to exceed \$5 million' approach is we need to give voters the full picture of what the condition of the bridge is and the fiscal impact in regards to the expected lifespan of the bridge.

Dave Ptak is concerned if we use a number, without actually knowing what the estimate will be, then contractors might estimate the repairs to cost the available amount. We need to know if the bridge can be repaired for less.

The complaint several months ago was the city used Olsson Associates and did not get a second estimate.

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

(e) Moved by Ginny Skutnik seconded by Paul Hamelink to authorize the Mayor to sign Airport Grant Application 3-31-0040-016-2020 for funding for engineering design of new snow removal equipment building at the Hastings Municipal Airport. Deb Bergmann reported the snow removal equipment is currently housed in another hangar. At some point, we will want to utilize that hangar. The Federal Aviation Association (FAA) will fund the engineering design phase at 100%. 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) Moved by Matt Fong seconded by Butch Eley to approve Engineering Services Contract with Kirkham, Michael & Associates, Inc. for design and bid phases of AIP 3-31-0040-016-2020, Snow Removal Equipment Building at Hastings Municipal Airport. Deb Bergmann reported the FAA did an independent study and found this to be in line with their findings. 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) Moved by Scott Snell seconded by Ginny Skutnik to approve Professional Design Services Agreement with RLR Associates, Inc. for Museum Exhibit Design. Dave Ptak reported this is to design the Naval Ammunition Depot (NAD) exhibit. It is funded with city sales tax receipts and private donations. 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.

None.

6. Final Passage of Ordinances.

None.

7. Appointments.

None.

8. Miscellaneous and Other Business.

None.

Moved by Ginny Skutnik seconded by Matt Fong there being no further business to adjourn at 6:39 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)