

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, June 8, 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 June 8, 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, 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; Police Chief, Adam Story; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; Utility Manager, Kevin Johnson; Interim IT Director, Jake Frerichs; Development Services Director, Lisa Parnell-Rowe; Interim City Engineer, Lee Vrooman; Purchasing Agent, Rick Herrington.

Moved by Butch Eley seconded by Ginny Skutnik to adopt current agenda for June 8, 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, June 5, 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 Fong reported on the Public Library's virtual summer reading program, which is available on the city's website. There will also be a locker program for checking out books. He also stated there are job opportunities available with local manufacturers. North Park Commons continues to have good progress with construction.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked our Police Department for working with organizers on a peaceful protest.

The city will continue to comply with Phase 2 of Directed Health Measures from Governor Ricketts.

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 May 26, 2020

(b) Approval of claims and payroll

(c) Approval of Work Order CO-162, uninterruptible power supply of SCADA, phone and network servers located at North Denver Station

(d) Approval of Work Order SL-127, installation of underground street light circuits with post top street lights along Lakeview Avenue from North Shore Drive to Martin Drive

(e) Approval of Work Order EL-117, installation of three phase padmount switch and transformer to serve increasing load for Servi-Tech at 1602 Park West Drive

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of Quality Builders, LLC for a Conditional Use Permit for self storage units on property commonly addressed as 1211 and 1215 East South Street. Lisa Parnell-Rowe reported this is a conditional use permit for self-storage units, zoned C-3. That use is currently in this area and is compatible in this zone. Although there is a mobile home park in close proximity, there is right-of-way in between. It is compatible with future planning and subject to conditions on the resolution. The resolution will be filed with the Register of Deeds. Cost of filing will be paid by the applicant. No public spoke. No objections were received.

Moved by Chuck Rosenberg seconded by Ginny Skutnik to approve Resolution 2020-33, approving the request of Quality Builders, LLC for a Conditional Use Permit (CUP) for self storage units on property located at 1211 and 1215 E. South Street, Hastings, Nebraska, legally described as Lots 1 & 2, ESU #9 Subdivision to the City of Hastings, Adams County, Nebraska, subject to following condition: 1) There shall be compliance with any other applicable City, County, State or Federal regulations that shall apply. 2) This resolution shall be filed with the registrar of deeds so as to provide notice to any person examining the real estate records of the existence of this CUP. The recording costs incurred to comply with this section shall be paid by the applicant for the CUP. 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 Hastings Rural Fire Protection to change zoning from R-1, Urban Single Family Residential and A, Agricultural to R-1S, Single Family Suburban Acreage Residential District for Hastings Rural Fire Subdivision. Lisa Parnell-Rowe reported on the rezone. The final plat is in concurrent review tonight. Future land use is agriculture, however it would no longer meet the minimum lot requirements for agriculture. We want to zone to the best residential zone. No public spoke. No objections were given.

ORDINANCE NO. 4632 AMENDING THE ZONING DISTRICT MAP TO REZONE PROPERTY FROM R-1, URBAN SINGLE FAMILY RESIDENTIAL AND A, AGRICULTURAL TO R-1S, SINGLE FAMILY SUBURBAN ACREAGE RESIDENTIAL DISTRICT FOR HASTINGS RURAL FIRE SUBDIVISION

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

The Mayor then stated the question "Shall Ordinance No. 4632 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 Matt Fong 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 June 12, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(c) Public hearing on the request of the City of Hastings Development Services Department to amend City Code Section 34-315.01 (1) (c), dealing with all other hoofed animals. Lisa Parnell-Rowe reported this relates to limited agriculture. It provides recourse for public requesting additional other hoofed animals, adding language for no more than two hoofed animals per acre. An application for a conditional use permit would be processed and reviewed. No public spoke. No objections were received.

ORDINANCE NO. 4633 AMENDING CITY CODE SECTION 34-315.01 (1) (C) TO PROVIDE FOR HOOFED ANIMALS IN A LIMITED AGRICULTURAL DISTRICT AS A CONDITIONAL USE.

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. 4633 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 Jeniffer Beahm 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 June 12, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(d) Public hearing on the request of the City of Hastings Development Services Department to amend City Code Section 38-201, authorizing preliminary and final plats to be processed in combination and to amend City Code Section 38-202, regarding pre-authorized work before final plat approval. Lisa Parnell-Rowe reported the current requirement places four separate public hearings, when not done administratively. To do preliminary and final cycle as it stands is 75 days. If the subdivision meets the three established criteria, they can be streamlined to approximately 45 days. The code change makes applying consistent and fair for all applying for plats. No grading of streets, or construction can be done before the final plat is approved.

ORDINANCE NO. 4627 AMENDING CITY CODE SECTION 38-201 TO PROVIDE FOR COMBINING PRELIMINARY AND FINAL PLATS UNDER CERTAIN CIRCUMSTANCES AND AMENDING CITY CODE SECTION 38-202 TO PROHIBIT GRADING OF STREETS AND CONSTRUCTION BEFORE FINAL PLAT APPROVAL

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

The Mayor then stated the question "Shall Ordinance No. 4627 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, Jeniffer Beahm. Nays: None. Absent: None. The motion carried. Ginny Skutnik did not vote, because of technical issues.

Councilmember Matt Fong moved that the statutory rule requiring reading on three different days be suspended; Councilmember Chuck Rosenberg 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, Jeniffer Beahm. Nays: None. Absent: None. Ginny Skutnik did

not vote, because of technical issues. 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 June 12, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(e) Moved by Scott Snell seconded by Matt Fong to adjourn as Mayor and City Council and reconvene as Board of Equalization. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Jeniffer Beahm. Nays: None. Absent: None. The motion carried. Ginny Skutnik did not vote, because of technical issues.

(f) Public hearing on the levying of assessments in Street Improvement District No. 2018-1. Lee Vrooman reported on the levying of assessments on Lakeview Avenue property owners. Total assessment levied is \$188,606.35. No public spoke. No objections were received.

(g) Public hearing on the levying of assessments in Street Improvement District No. 2019-1. Lee Vrooman reported on levying assessments on Utecht Circle property owners. Total assessment levied is \$257,641.76. No public spoke. No objections were received.

(h) Public hearing on the levying of assessments in Street Improvement District No. 2019-2. Lee Vrooman reported on levying assessments on Utecht Avenue property owners. Total assessment levied is \$477,722. No public spoke. No objections were received.

(i) Moved by Matt Fong seconded by Ted Schroeder to adjourn as Board of Equalization and reconvene as Mayor and City Council. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Jeniffer Beahm. Nays: None. Absent: None. The motion carried. Ginny Skutnik did not vote, due to technical issues.

(j) Moved by Chuck Rosenberg seconded by Butch Eley to approve Resolution No. 2020-34 making assessments in Street Improvement District No. 2018-1. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Jeniffer Beahm. Nays: None. Absent: None. The motion carried. Ginny Skutnik did not vote, because of technical issues.

(k) Moved by Butch Eley seconded by Matt Fong to approve Resolution No. 2020-35 making assessments in Street Improvement District No. 2019-1. 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.

(l) Moved by Matt Fong seconded by Chuck Rosenberg to approve Resolution No. 2020-36 making assessments in Street Improvement District No. 2019-2. 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 Chuck Rosenberg seconded by Matt Fong to approve the Preliminary/Final Plat for Warrings Second Subdivision in the City of Hastings, Adams County, Nebraska. Lisa Parnell-Rowe reported this will take the existing plats and unplatted towards the west, platting them into two separate lots. Lot 2 on the plat will be sold for a future house site. 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 Jeniffer Beahm seconded by Matt Fong to approve the Final Plat for Hastings Rural Fire Subdivision in the City of Hastings, Adams County, Nebraska. Lisa Parnell-Rowe reported that all things

pointed out in the preliminary plat as conditions have been depicted on the 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 Scott Snell seconded by Ginny Skutnik to approve the Temporary Outdoor Dining Application form as a result of Covid-19 Restrictions and Directed Health Measures.
Mayor Stutte reported discussions were held recently with the Downtown Center Association and local business owners. This is not only for downtown businesses. This will help business owners have access outside their establishments and provide opportunity to increase revenues. Dave Ptak added this is a temporary permit for 30 days at a time and can be renewed. This will be an administrative approval that will go through the City Clerk's office, City Attorney, and City Administrator. The Liquor Commission relaxed the method by which outdoor dining will occur with liquor permits. Businesses selling liquor will be required to adhere to Liquor Commission requirements. Outside spaces must comply with current Directed Health Measures. 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 Chuck Rosenberg to approve Resolution No. 2020-37 setting Work Sessions of the Mayor and City Council on the third Monday of every month at 5:30 p.m. in the City Council Chambers, 220 North Hastings Avenue. The city worked closely with Hastings Public Schools, as they meet in our council chambers on the third Monday of every month. Planning Commission might be moving their meeting to another day of the month. 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) Moved by Scott Snell seconded by Ted Schroeder to approve Mayor's appointment of Jake Frerichs as Interim Director of Information Technology. Mayor Stutte thanked Jake for stepping up to serve as Interim Director of Information Technology. 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.

Moved by Matt Fong seconded by Chuck Rosenberg there being no further business to adjourn at 6:29 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)