

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, November 9, 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 November 9, 2020. Councilmember Schroeder joined the meeting via video conference, as allowed by Executive Order No. 20-34 issued from Governor Ricketts on October 30, 2020.

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

The following City Officials were present: City Administrator, David Ptak; City Attorney, Clint Schukei; City Clerk, Kimberly Jacobitz; Police Captain, Mike Doremus; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; Utility Manager, Kevin Johnson; Information Technology, Erik Nielsen; Development Services Director, Lisa Parnell-Rowe; Director of Engineering, Lee Vrooman.

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

Moved by Ginny Skutnik seconded by Butch Eley to adopt current agenda of November 9, 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, November 6, 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 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 Rosenberg reported on the Transportation and Parking Committee meeting held virtually today. Survey results have been compiled by Kimley-Horn.

Councilmember Skutnik reported on the Quiet Zones Committee meeting held last week. A representative from the Federal Railroad Administration attended and was able to answer questions.

Councilmember Schroeder stated he is in quarantine, because of close contact with someone testing positive for COVID-19. He is attending the meeting via video conference from his home.

CITIZEN COMMUNICATIONS:

Bill Lorenz, 418 East 31st Street, spoke on Fisher Fountain.

MAYOR'S COMMUNICATIONS:

Mayor Stutte presented Joanne Seberg with an 'Outstanding Service' award for her service to the City of Hastings while on the Utility Board.

Mayor Stutte read a proclamation for November 2020, as "Hastings Family Caregiver Awareness Month". The group could not be in attendance tonight, so he was asked to read a letter from Jinx Hackler thanking Mayor Stutte and City Council for their support of the Caregiver Coalition.

Mayor Stutte recognized service anniversaries for Guy Fagiolo, Utilities, 20 years; Scott Rust, Utilities, 20 years; Julie Hallett, Police, 10 years; James Schuyler, Utilities, 10 years; James Golick, Utilities, 10 years; Randy Ruxton, Utilities, 20 years; Jeremy Bell, Utilities, 10 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 October 26, 2020

(b) Approval of the minutes of the Worksession of October 19, 2020

(c) Approval of claims and payroll

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

(e) Approval of Work Order GA-350, replacement of 2" PE gas main on Highland Drive, Country Club Drive to Bard Street

(f) Approval of Work Order EL-138, installation of a three-phase underground electric line, padmount switch, and padmount transformer to serve the new CPI liquid fertilizer tanks

(g) Approval of Work Order EL-139, install an overhead streetlighting circuit along 42nd Street

(h) Approval of Work Order EL-140, installation of power distribution poles along 42nd Street

(i) Approval of Work Order EL-147, replacement of nine decorative streetlight poles downtown

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the application of B & R Stores, Inc. dba "Allen's #32" for a Class "C" Liquor License at 1115 W. 2nd Street. Police Captain Mike Doremus reported there were no issues found with B & R Stores or the manager. Robert Steider, B & R Stores, spoke in support of this item. No other public spoke. No objections were received.

Moved by Paul Hamelink seconded by Ginny Skutnik to approve Resolution No. 2020-59 approving the application of B & R Stores, Inc. dba "Allen's #32" for a Class "C" Liquor License at 1115 W. 2nd 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.

(b) Moved by Ginny Skutnik seconded by Matt Fong to approve the manager application of Robert G. Steider in connection with the Class "C" Liquor License of B & R Stores, Inc. dba "Allen's #32" located at 1115 W. 2nd 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.

(c) Public hearing on the request of Southern Bell Heartland, LLC for a Conditional Use Permit for a creative sign for property commonly addressed as 109 North Burlington Avenue, Hastings, Nebraska. Lisa Parnell-Rowe reported Southern Bell Heartland, LLC requested a creative sign. Creative signs are found in the city's sign code, but must fit certain criteria to be approved. The anchoring of the metal sign is going to be inside the building. They will preserve the historical value of the structure. No public spoke. No objections were received.

Moved by Scott Snell seconded by Chuck Rosenberg to approve Resolution No. 2020-61 to allow a creative sign for property located in the C-2, Central Business District, commonly addressed as 109 North Burlington Avenue, Hastings, NE 68901, subject to following conditions: 1) The applicant shall be allowed to have a creative sign with a face area of twelve square feet which exceeds the maximum sign area of ten square feet provided in the Hastings Municipal Code. 2) The applicant shall be allowed to have a creative sign mounted at a height of Twenty-two feet, six inches from the ground which exceeds the maximum sign height of twelve feet from the bottom of the sign to the ground provided in the Hastings Municipal Code. 3) The applicant shall be allowed to have a creative sign with a face area of twelve square feet which exceeds the maximum sign area of ten feet provided in the Hastings Municipal Code. 4) The applicant shall submit an application for encroachment to the Nebraska Department of Transportation (NDOT) and provide approval from NDOT prior to seeking to install the sign. A copy of the

approval obtained from NDOT shall be provided by the applicant to the Development Services Department. 5) There shall be compliance with any other applicable City, County, State or Federal regulations that shall apply. 6) 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.

Lisa Parnell-Rowe clarified that a State Permit for the sign is a condition of the resolution. She also reported the sign on an adjacent business to the north was pre-existing to the current sign code change. 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 adoption of the City of Hastings Engineering Department 2021-2026 One and Six Year Street Improvement Plan. Lee Vrooman reported on the One & Six Year Plan. A review of this plan is an annual requirement, and he plans to align next year's review with the budget. He reviewed the projects underway. Some of the highlights were the 42nd Street project is in progress and expected to be completed by December 30, 2020. North Park Commons project is complete. Arterial projects have all been completed, with residential resurfacing project still in progress. He reviewed the upcoming projects, including Quiet Crossings, Highway 6, residential and arterial resurfacing. He explained the funding challenges and considerations. The city was awarded a grant for \$435,000 by the Community Development Block Grant (CDBG) for improving ADA mobility considerations in a four block radius of the city parking lot. No public spoke. No objections were received.

Moved by Ginny Skutnik seconded by Chuck Rosenberg to approve Resolution 2020-60 approving the One and Six Year Street Improvement Plan. 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 Paul Hamelink to approve the Release of Easement for Westbrook Village 15th Addition at the south ten feet of Lot 4. Lee Vrooman reported the property owner has requested release of these easements. Utilities have already been installed, so these easements are no longer necessary. 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 the Release of Easement for Westbrook Village 11th Subdivision at the northeast corner of Lot 3. 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 Ginny Skutnik seconded by Matt Fong to approve C & R Subdivision, a re-plat of Lot 8, Lakeview 5th Addition and a tract of land located in the Southwest Quarter of Section 36, Township 8 North, Range 10 West of the 6th P.M in the City of Hastings, Adams County, Nebraska. Lisa Parnell-Rowe reported this is a final plat. It is a replat of Lot 8 and incorporating land to the north. 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 No. 2020-62 declaring an urgent public safety measure relating to the 16th Viaduct and providing for the demolition of the 16th Street Viaduct. Mayor Stutte reported we had an election and have gone through the process. The people have spoken with their ballot and it is time to move forward. Dave Ptak commented if you read the resolution, it has a chronological history of how we started to where we are now. He agreed with the mayor that the public has spoken. We put a ceiling on the cost on the ballot. The majority determines the election results. It is time to move on. The council discussed the timeline and the viaduct reports. The city has taken time to make this decision and the people have spoken. Mayor Stutte read the bolded portion

of a letter received from Olsson to clarify their recommendation. The bolded part of the letter stated "Our recommendation is that the bridge be demolished and if deemed necessary through a traffic study, reconstruction of a modern bridge structure at the same alignment, or at another location to better benefit the City of Hastings." The signatures on the letter were Ross Barron, Tyler Cramer, and Matt Rief. 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 Ginny Skutnik seconded by Matt Fong to approve the appointments as listed. Mayor Stutte thanked all for their service to the community. He pointed out they are all reappointments.

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.

BOARD OR COMMISSION

APPOINTEE

DATES OF TERM

City Tree Board	Ethan Stout	11/15/2020-11/15/2023
City Tree Board	David Glass	11/15/2020-11/15/2023
Board of Appeals	Ryan Kavan	11/1/2020-11/1/2025
Business Improvement Board	Tim Jacobi	11/1/2020-11/1/2023
Business Improvement Board	Jeb Brandt	11/1/2020-11/1/2023
Business Improvement Board	Bob Murphy	11/1/2020-11/1/2023
Business Improvement Board	John Hamburger	11/1/2020-11/1/2023
Business Improvement Board	Roy DeMars	11/1/2020-11/1/2023

8. Miscellaneous and Other Business.

None.

Moved by Butch Eley seconded by Ginny Skutnik to go into closed session for reason of litigation at 6:10 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 6:39 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.

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)