

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, February 8, 2021

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 8, 2021.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Ginny Skutnik, Butch Eley, Joy Huffaker, Chuck Rosenberg, Shawn Hartmann, Matt Fong, Jeniffer Beahm, Ted Schroeder. 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; Information Technology, Erik Nielsen; Development Services Director, Lisa Parnell-Rowe; Brandon Lubken, Utility Department; Purchasing Agent, Rick Herrington.

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 for February 8, 2021 Regular Meeting. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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, February 5, 2021. 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 Fong reported the Hastings Public Library continues welcoming patrons into the library by appointment.

Councilmember Rosenberg reported on the Transportation and Parking Committee Zoom meeting. They focused on downtown parking: maintenance of lots, long and short term parking, and economic impacts.

Councilmember Schroeder reported on the Airport Advisory Board meeting. They are updating zoning, per state requirements. The airport will have a fly-in on Father's Day weekend. They want to have council out for a tour of the airport.

Councilmember Eley asked if there was an update on the Compass Rose at the airport. Dave Ptak stated they want to get it completed before the state fly-in.

Councilmember Skutnik reported on new hours at the Hastings Museum. Please check their website for scheduled events.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked Street Department crews for snow removal and Fire & Rescue for their hard work. Mayor Stutte was part of a tour given in downtown last week for a catalyst program.

Mayor Stutte recognized service anniversaries for Jeanie Pettit, Police 30 years; Mark Johnson, WEC, 10 years; Andy Quig, WEC, 10 years; Ann Reinhardt, Engineering, 5 years; Keith Leonhardt, Utilities, 40 years; David Dedrick, Parks 10 years; Larry Johnson, Police, 15 years; Joshua Russell, Gas, 15 years; Rhonda Seay, Utilities, 40 years; Todd Gehring, WEC, 10 years.

CONSENT AGENDA:

1. All Consent Items.

Moved by Matt Fong seconded by Ginny Skutnik to approve the Consent Agenda, as presented.

Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 1, 2021

(b) Approval of the minutes of the Worksession of January 19, 2021

(c) Approval of claims and payroll

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

(e) Approval of the renewal of 2021-2022 Liquor License Applications for the following: **Class "A"** On Sale Beer - Dunning Investments, Inc.; **Class "B"** Off Sale Beer - Thomsen Oil Co.; **Class "D"** Off Sale Beer, Wine, Spirits - Bosselman Pump & Pantry, Inc., Boys 3 MCP, 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"** On Sale Beer, Wine, Spirits - AFJ, Inc., BPOE Lodge 159, Central Community College Area, El Puerto, LLC, Frew Enterprises, LLC, Hastings Hospitality, Inc., Ninja House, Inc., The Listening Room, Inc.; **Class "K"** Catering - BPOE Lodge 159, Central Community College Area, Steeple Brewing Company; **Class "L"** Craft Brewery - No Coast Brewing, LLC, Steeple Brewing Company, LLC; **Class "M"** Bottle Club - Jonathon Canterbury

(f) Approval of final Civic and Cultural Center Feasibility Study

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of the City of Hastings Development Services Department to amend the City of Hastings Extra-Territorial Zoning Jurisdiction. Lisa Parnell-Rowe reported this request came as an inquiry to subdivide. They were interested in subdividing and adding some land to property with others. Staff and Adams County reviewed and determined this property was more conducive to being with the county, because of the farming usage. We will pull back the two mile jurisdiction. No public spoke. No objections were received.

ORDINANCE NO. 4654 MODIFYING THE CITY OF HASTINGS EXTRA-TERRITORIAL ZONING JURISDICTION AND THE BOUNDARY OF THE COMPREHENSIVE LAND USE PLAN

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

The Mayor then stated the question "Shall Ordinance No. 4654 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 12, 2021. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(b) Public hearing on the request of Kurt Perry to change zoning from "A, Agricultural District" to "R-1A, Single Family Large Lot Residential District" for property commonly addressed as 2325 S. Showboat Boulevard, Hastings, Nebraska. Lisa Parnell-Rowe reported this will replat Lot 2 into two lots and incorporate a parcel of record that is within Lot 2 into the Kurt Perry subdivision. The lot towards the north will be used as pasture land for now, but may be sold in the future. Lot 2 will continue to be a single family home, residential. When you look at rezoning, there is a sliver piece, subplot of tax Lot 2. This is one of the reasons we have had to go through with the preliminary and final. Once that happens, that would become R1A. We have R1A to the north and southwest and this will clean up that zoning. No public spoke. No objections were received.

ORDINANCE NO. 4655 AMENDING THE ZONING DISTRICT MAP TO REZONE FROM "A, AGRICULTURAL DISTRICT" TO "R-1A, SINGLE FAMILY LARGE LOT RESIDENTIAL DISTRICT" FOR PROPERTY COMMONLY ADDRESSED AS 2325 S. SHOWBOAT BOULEVARD, HASTINGS, NEBRASKA

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

The Mayor then stated the question "Shall Ordinance No. 4655 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 12, 2021. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(c) Moved by Ginny Skutnik seconded by Ted Schroeder to approve Preliminary/Final plat for Kurt Perry Subdivision. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(d) Public hearing on the request of Debora and Ronald Buhr to bring property commonly addressed as 2100 N. 2nd Avenue (Northwest 1/4 of Section 5, Township 7 North, Range 9 West, of the 6th p.m., Adams County, Nebraska) which is being platted as Buhr Addition, within the corporate limits of the City of Hastings. Lisa Parnell-Rowe reported on items 3d, 3e, and 3f. A single family home will be placed on Lot 2 of the subdivision. This area has a mixture of zoning and this will clean up the zoning. It is slated for future suburban residential, which is compatible with R1A. Because this is contiguous and adjacent to the city limits, we will add it to the city limits. No public spoke. No objections were received.

Moved by Ginny Skutnik seconded by Chuck Rosenberg to approve bringing property commonly addressed as 2100 N. 2nd Avenue (northwest 1/4 of Section 5, Township 7 North, Range 9 West, of the 6th p.m., Adams County, Nebraska) which is being platted as Buhr Addition, within the corporate limits of the City of Hastings. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(e) Moved by Matt Fong seconded by Ginny Skutnik to approve Final plat for Buhr Addition. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(f) Public hearing on the request of Debora and Ronald Buhr to change zoning from "A, Agricultural District" and "R-1, Urban Single-Family Residential District" to "R-1A, Single Family Large Lot Residential District" for Lots 1 and 2 of Buhr Addition. No public spoke. No objections were received.

ORDINANCE NO. 4656 AMENDING THE ZONING DISTRICT MAP TO REZONE FROM "A, AGRICULTURAL DISTRICT" AND "R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT" TO "R-1A, SINGLE FAMILY LARGE LOT RESIDENTIAL DISTRICT" FOR LOTS 1 AND 2 OF BUHR ADDITION

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

The Mayor then stated the question "Shall Ordinance No. 4656 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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.

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4. General Business.

(a) Moved by Butch Eley seconded by Ted Schroeder to approve awarding contract to ISS for Annual Fire Extinguisher Inspection and Servicing. Rick Herrington reported we sent out eight RFP's and received five bids. Several bidders gave exceptions, which were reviewed and accounted for in the bid comparison. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4653 AMENDING HASTINGS CITY CODE SECTION 32-611, CONTAMINATED GROUNDWATER

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.

Brandon Lubken, Utility Department, reported that in early December a local business reached out about having a private well on their site. Staff worked through city code, but had different opinions on what "non-contact water" meant. They talked to Marty Stange, who assisted with the original draft of this portion of city code. Marty said the original intent was to be non-potable. The difference of that word would have made it easier to understand within their group, so they request the revision.

The Mayor then stated the question "Shall Ordinance No. 4653 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 Chuck Rosenberg seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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.

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6. Final Passage of Ordinances.

None.

7. Appointments.

(a) Moved by Butch Eley seconded by Ginny Skutnik to approve Mayor Stutte's appointments to the City Planning Commission: Lou Kully, 2/1/2021-2/1/2024 (Reappointment); Gregory Sinner, 2/1/2021-1/14/2022 (Replacement). Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

8. Miscellaneous and Other Business.

The City Council received a packet on a potential Pickle Ball League. This information was given to the Parks and Recreation Department.

Moved by Butch Eley seconded by Matt Fong there being no further business to adjourn at 6:06 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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)