

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL WORKSESSION
Monday, September 20, 2021

Pursuant to due call and notice thereof, a Worksession Meeting of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Public Library, 314 N. Denver Avenue, on September 20, 2021.

The Worksession Meeting was called to order at 5:30 p.m. by Council President Ginny Skutnik with the following members present: Butch Eley, Chuck Rosenberg, Ted Schroeder, Shawn Hartmann, Matt Fong. Absent: Joy Huffaker, Jeniffer Beahm.

City Officials Present: Mayor Corey Stutte, David Ptak, Clint Schukei, Adam Story, Brad Starling, Erik Nielsen, Kevin Johnson, Roger Nash, Jeff Hassenstab, Lee Vrooman, Lisa Parnell-Rowe, Teresa Kreutzer-Hodson.

Moved by Butch Eley seconded by Ted Schroeder to adopt the current agenda for the September 20, 2021 City Council Worksession. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Joy Huffaker, Jeniffer Beahm. The motion carried.

Official Notice of the Worksession was published in the Hastings Tribune on Friday, September 17, 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 available. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

Discussion of request by Terrick L.L.C. for an amendment to a Conditional Use Permit for an extended stay area in a recreational vehicle park.

Dave Ptak, City Administrator, explained that this item is a holdover from an August City Council Meeting. Lisa Parnell-Rowe, Development Services Director, stated that she felt they were struggling with having residents leave for the 72 hours. She reminded Council that there are other campgrounds that the recreational parks code are being applied to. She indicated she wanted to do this consistently and that the lines sometimes blur between mobile home park and recreational vehicle park. She told Council with the Conditional Use Permit (CUP) they are looking at, it is zoned C-3, Commercial Business District and as a recreational park it requires a CUP but as a mobile home park, it is not permitted. Ms. Parnell-Rowe told Council there is a lot of residential in the area so not a good location for a mobile home park and with the CUP they are looking at, Condition #11 of the CUP indicated that if it is not a recreational vehicle park, it can be nothing else. She reviewed with Council the code standards of a recreation vehicle park versus a mobile home park. She indicated that staff was open to adjusting the 72 hour leave requirement and adding a condition of weather permitting for moving.

Ms. Parnell-Rowe discussed with the Council the natural gas tanks on the campers and current issues with them.

Councilmember Eley asked why the campground is a concern. Ms. Parnell-Rowe stated there have been complaints through the years that have not been properly vetted and the extended stay was not an issue that anyone really wanted to tackle. She stated that the 180 day stay language that she uses comes from HUD.

Councilmember Eley indicated there are other recreational parks in town and he didn't feel comfortable doing something to one park and not the other and felt it should be a city-wide situation. She indicated that yes, they are just talking about this CUP but there are other campgrounds and potential campgrounds to consider. Councilmember Skutnik indicated she was for a moratorium during the winter months and Ms. Parnell-Rose stated she was acceptable to only requiring campers to be moved in the spring, summer and fall. Councilmember Eley stated he would like an ordinance in front of him to consider.

Councilmember Fong asked if they could hear from the Fire Department regarding propane tank concerns. Brad Starling, Fire Chief, explained to Council the varying construction styles with recreational vehicles only being allowed to have two, 40 gallon tanks. So you have a limited amount of fuel due to the limited building construction of the vehicle. He indicated the way code reads for the fuel is the bigger the tank, the further it needs to be away from the structure because it is going to burn hotter and longer if it does catch on fire. Mobile structures provide less protection so if they want to stay longer and are going to want a larger tank, it will need to be located farther away so that it doesn't create a hazard to other residents and create a lot of risk to those in the area.

Mr. Ptak indicated that normally with recreational vehicles, sewer is not a choice at most campgrounds because they have a dump station and when you add the sewer to it, you are inviting longer stays. Councilmember Hartmann stated he was concerned about encouraging the use of recreational vehicles as a permanent residence and asked about individuals staying for construction purposes to provide proof of their employment. Ms. Parnell-Rowe stated that initially she proposed seven lots for extended stay use for three months long but after more research they found the HUD standard of 180 days.

Councilmember Fong stated he felt it is not our decision as it relates to where people live or how people want to live and didn't want to put staff in the position of having to validate what kind of job an individual has to allow them to live a certain way. He suggested trying to find a common ground and maybe relaxing the restriction on moving during the winter months and reduce the hours from 72 to 24 hours to try to accommodate and yet provide some of the rules that are trying to be implemented.

Mr. Ptak expressed concern if they have to move for 72 hours, where will they go. Councilmember Skutnik suggested a moratorium on moving from November to March. Councilmember Eley stated he was against having to move.

Ms. Parnell-Rowe stated there are a lot of things to consider.

Mayor Stutte told Council that he felt staff is looking for direction. Mr. Schukei questioned if mobile home and recreation vehicles are the same by definition or is there a distinction between them. Ms. Parnell-Rowe stated that this is a CUP for this situation that is not working for staff or the owner and the CUP stay limit is not being complied with.

Mr. Ptak suggested continuing until we can come up with a solution and look for something that will fit Hastings better than what we have now. Councilmember Fong questioned if there was a benefit of having a time window so that recreation vehicles stay mobile. Councilmember Hartmann stated he felt the 180 days was to keep everything in mobile condition. Ms. Parnell-Rowe told Council that staff will look it, do a little more research and see if they can find a model and bring something back to Council.

Discussion of Temporary Use Permit.

Ms. Parnell-Rowe indicated this was to be placed on an agenda but there were some mobile vendors who were not pleased with not being involved in the process of developing a Temporary Use Permit (TUP) for mobile vendors, so she met with them for discussion. She indicated that the ordinance before Council encompasses three different kinds of temporary uses. The first being mobile vendors and not just food but someone who is staying for more than 14 consecutive days and up to 180 in the same location. She indicated that special events were not included in this. The TUP is a way for staff to look at each of these vendors. Ms. Parnell-Rowe indicated that extensions are possible and there is not an additional charge. She indicated that the word restaurant was not defined in our code so that was added and expanded to say it is a structure that sits on a foundation. The last change has to do with any temporary signage and instead of doing a separate sign permit, just add it in as part of TUP. Those were the changes that came from the meeting with the mobile vendors. She also mentioned that the other two temporary uses are for temporary buildings and concerning the economic need for construction crews to stay for longer periods in a recreational vehicle in a recreational vehicle park which give staff the opportunity to inspect and allows for a 180 day stay with option of extension. She told Council she would like to do some education on these permits once it is approved.

Discussion of placement of "No Parking" signs throughout town.

Brad Starling, Fire Chief, indicated that this discussion is the result of some previous Council discussions regarding the movement of tractor trailers through residential areas. He indicated some of the trailers were even parked in residential areas creating issues with line of sight and movement of passenger vehicles through the area. He indicated that fire code allows for signage in areas where there should be no parking to allow for any emergency vehicle access through the area. He felt it was important to bring to the Council's attention that there are several areas in town that are not signed according to what the fire code would require them to be signed. He gave Council a map indicating street widths and signage location. Mr. Starling told Council the map shows that there are some areas of town that are inadequately signed from a fire safety and access prospective and do not meet fire code standards. He indicated there could be issues where people in some areas may now be told they can't park on both sides of the street or on the street. He wanted Council to be aware that there could be negative feedback from the community. He indicated he was looking for guidance from Council on how far they want to go with the placing of no parking signs in neighborhoods. Mr. Starling indicated that in City Code Section 15-403, the City Council does have the authority to decide in which areas they want to have no parking signs placed. Councilmember Hartmann believed it to be about safety and felt they should get started doing what they need to do. Clint Schukei, City Attorney, indicated that notice has to be provided to citizens, meaning you can park there if there isn't a sign that prohibits it. Mr. Ptak stated they need to be careful as far as how this is done, need to look at it on a street by street basis and there has to be a practicality involved with how it is done. Councilmember Eley felt we need to enforce if we have signs prohibiting parking or bag the sign if you aren't going to enforce. Adam Story, Police Chief, agreed it looks bad to not be enforcing parking signs so they need to bag the signs if not enforcing. Mayor Stutte asked when the last time aeriels were done and when they would be done again. Lee Vrooman, City Engineer, indicated new aeriels would be done next spring. Mayor Stutte stated spot checking signs could be done with the new aeriels. Mr. Starling stated he would work with Engineering to look at areas not signed and come up with a plan.

Discussion of Second Street and Elm Avenue stop signs.

Councilmember Rosenberg stated this intersection has always been confusing and that it seems like Elm Avenue should be a through street. He proposed removing the stop sign from Elm Avenue and placing the stop sign on Second Street at the intersection of Second Street and Elm Avenue. Chief Story indicated that there are not really frequent crashes there, but it makes sense to change the stop signs. Councilmember Eley asked that it be placed on the agenda. Mr. Vrooman indicated that he supported the change.

Moved by Matt Fong seconded by Butch Eley to go into closed session at 7:00 p.m. for the discussion of real estate. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Joy Huffaker, Jeniffer Beahm. The motion carried.

Moved by Shawn Hartmann seconded by Chuck Rosenberg to resume open session at 7:31 p.m. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Joy Huffaker, Jeniffer Beahm. The motion carried.

Moved by Butch Eley seconded by Ted Schroeder there being no further business to come before the Council, the meeting be adjourned at 7:31 p.m. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Joy Huffaker, Jeniffer Beahm. The motion carried.