

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, July 24, 2017

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 July 24, 2017.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Jeniffer Beahm, Ginny Skutnik, Sarah Hoops, Butch Eley, Scott Snell, Phil Odom, Paul Hamelink, John Harrington. Absent: None.

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

Moved by Sarah Hoops seconded by Butch Eley to adopt current agenda for July 24, 2017 Regular meeting. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Mayor Stutte read the Public Notice - Pursuant to the 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 Hamelink reported on the Airport Advisory Board, which met last Wednesday. They discussed the long range plan and economic development opportunities for the airport.

Councilmember Odom spoke of the Ozu, Japan (Sister City) group visiting Hastings this week.

Councilmember Snell expressed his appreciation for staff and manager at the AquaCourt.

MAYOR'S COMMUNICATIONS:

Mayor Stutte recognized the Ozu, Japan group visiting Hastings. He also encouraged citizens to attend the National Night Out being held on August 1st at Chautauqua Park.

CONSENT AGENDA:

Moved by Ginny Skutnik seconded by Butch Eley to pull item "1.f." Hastings College Cemetery Run off the Consent Agenda to further discuss. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jennifer Beahm. Nays: None. Absent: None. The motion carried.

1. All Consent Items.

Moved by Ginny Skutnik seconded by Sarah Hoops to approve Consent Items, as amended.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(a) Approval of the minutes of the Council Meeting of July 10, 2017.

(b) Approval of payment of claims for the period of July 11, 2017 through July 24, 2017

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

(d) Approval of the request of SASA Crisis Center, Inc. to utilize city streets for SASA Sticks and Stones Walk/Run on August 19, 2017

(e) Approval of the Manager Application of Robert G. Steider in connection with the Class "C" Liquor License of B & R Stores, Inc. dba "Russ's Market 7" located at 611 North Burlington Avenue

(f) Councilmember Beahm recused herself, as she is employed by Hastings College.

Moved by John Harrington seconded by Phil Odom to approve the request of Hastings College to utilize Parkview Cemetery for Monster Bash 5K Cemetery Run on October 27, 2017.

Jeff Hassenstab, Parks & Recreation Director, gave a staff report. There have been several races in the cemetery since 2004. Logistically there are no issues noted by staff.

Anna Flairty, (Hastings College Student) explained the race as a celebration of life. She stated that Hastings College officials will be in attendance at the event and it will be held in a respectful manner.

Councilmembers voiced support of Hastings College events and concern regarding respect of the cemetery.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Sarah Hoops. Nays: Butch Eley, Ginny Skutnik. Absent: None. The motion carried.

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

(a) Moved by Butch Eley seconded by Ginny Skutnik to bring from the table "Public hearing on the application of Ninja Steak Sushi House II, Inc. dba "Ninja Steak Sushi House II" for a Class "I" Liquor License at 235 South Burlington Avenue and Resolution No. 2017-20. . . Approving/denying the application of Ninja Steak Sushi House II, Inc. dba "Ninja Steak Sushi House II" for a Class "I" Liquor License at 235 South Burlington Avenue" Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Public hearing on the application of Ninja Steak Sushi House II, Inc. dba "Ninja Steak Sushi House II" for a Class "I" Liquor License at 235 South Burlington Avenue

Joe Patterson, City Administrator, stated that this item was tabled because of a church being located in close proximity. No public testimony was given. Clerk received no objections.

Moved by Ginny Skutnik seconded by Sarah Hoops to approve Resolution No. 2017-20. . . Approving the application of Ninja Steak Sushi House II, Inc. dba "Ninja Steak Sushi House II" for a Class "I" Liquor License at 235 South Burlington Avenue

Dave Ptak, City Attorney, stated that city staff conducted a meeting with the applicant, owner of the building, and pastor of the church that is in close proximity of the restaurant to discuss potential conflicts. The church saw no conflict with the restaurant holding a liquor license in that location and wrote a letter to the State Liquor Commission stating the same.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Moved by Butch Eley seconded by Sarah Hoops to bring from the table "Approval of the manager application of Ru Hai Ma in connection with the Class "I" Liquor License of Ninja Steak Sushi House II, Inc. dba "Ninja Steak Sushi House II" located at 235 South Burlington Avenue"

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(d) Moved by Sarah Hoops seconded by Butch Eley to approve the manager application of Ru Hai Ma in connection with the Class "I" Liquor License of Ninja Steak Sushi House II, Inc. dba "Ninja Steak Sushi House II" located at 235 South Burlington Avenue. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

3. Public Hearings.

(a) Public hearing on the request of Alan Anderson to bring proposed Lots 1-13, Westbrook Village 16th Addition, into the corporate limits of the City of Hastings. No public testimony was given. Clerk received no objections.

Don Threewitt, Development Services Director, gave a staff report. A condition for access roads was added by the Planning Commission.

Moved by Ginny Skutnik seconded by John Harrington to approve Westbrook Village 16th Addition as an addition to the City of Hastings. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Moved by Ginny Skutnik seconded by Jeniffer Beahm to approve the Final Plat for Westbrook Village 16th Addition as an addition to the City of Hastings with the following condition: 1. that the developer install adequate turnaround provisions at Markay Drive and Nalen Drive to meet International Fire Code Appendix D, D103.3. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

4. General Business.

(a) Moved by Butch Eley seconded by Sarah Hoops to approve the preliminary/final plat for Quinn Subdivision Number 4, a parcel of land located in Adams County, Nebraska containing 5.00 acres more or less.

Don Threewitt, Development Services Director, gave a staff report.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Councilmember Hamelink recused himself from items 4.b. and 4.c. as the sole owner of this business.

Moved by Scott Snell seconded by John Harrington to approve the request of 201 N. Lincoln Enterprises, LLC dba "Paul's Cigar Bar" to utilize city streets for the Big Smoke 2017 event on August 19, 2017.

Paul Hamelink explained the outdoor event as a part of the SolFest activities.

Roll Call: Ayes: John Harrington, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Moved by John Harrington seconded by Scott Snell to approve the application of 201 N. Lincoln Enterprises, LLC dba "Paul's Cigar Bar" for a Special Designated License on the city street adjacent to 201 N. Lincoln Avenue on August 19, 2017. Roll Call: Ayes: John Harrington, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(d) Moved by Scott Snell seconded by Ginny Skutnik to approve the Loan Agreement between the Nebraska Department of Environmental Quality and the City of Hastings regarding the State Revolving Fund Program.

Presentation given by Al Meyer, Interim Manager of Hastings Utilities. Presentation is attached and made part of these minutes.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, 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. 2017-19. . . to adopt and approve the execution of an agreement with the Department of Roads of the State of Nebraska for Project No. NH-34-4 (130)

Dave Wacker, City Engineer, gave a staff report. The project will make repairs to the Highway 281 roadway corridor, beginning at 42nd Street and ending in Doniphan.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) ORDINANCE NO. 4514 AUTHORIZING THE ISSUANCE OF A COMBINED UTILITIES REVENUE BOND

Said Ordinance was read by title and thereafter Councilmember Phil Odom moved for passage of the ordinance, which motion was seconded by Councilmember Ginny Skutnik.

The Mayor then stated the question "Shall Ordinance No. 4514 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Sarah Hoops moved that the statutory rule requiring reading on three different days be suspended; Councilmember Ginny Skutnik seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, 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 July 28, 2017. Effective date of the ordinance is August 9, 2017.

9. Closed Session

Moved by Ginny Skutnik seconded by John Harrington to go into closed session at 6:11p.m. for purpose of litigation and personnel. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Ginny Skutnik seconded by John Harrington to come out of closed session at 6:53p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Butch Eley seconded by Ginny Skutnik there being no further business to adjourn at 6:53p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, 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)