

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, October 10, 2022

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 October 10, 2022.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Ginny Skutnik, Ted Schroeder, Butch Eley, Chuck Rosenberg, Shawn Hartmann, Matt Fong, Jeniffer Beahm. Absent: Joy Huffaker.

The following City Officials were present: Interim City Administrator/Utility Manager, Kevin Johnson; City Attorney, Clint Schukei; Assistant City Attorney, Jesse Oswald; City Clerk, Kimberly Jacobitz; Police Chief, Adam Story; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; Information Technology Director, Erik Nielsen; Director of Engineering, Lee Vrooman; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson; Public Information Manager, LeAnne Doose.

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

Moved by Butch Eley seconded by Ted Schroeder to adopt current agenda for the October 10, 2022 Regular Meeting. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, October 7, 2022. 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 attended one of the four comprehensive plan meetings last week. The website for information or to give feedback is: onthehorizonhastings.com
Councilmember Schroeder stated that the mall project is moving forward.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

A Scout Troop attended the meeting, working towards their "Building a Better World" badge.

Mayor Stutte introduced the new Assistant City Attorney, Jesse Oswald.

LeAnne Doose gave an update on the Comprehensive Plan Process. There were four public meetings held last week, with approximately 40-50 people in attendance collectively. They are moving forward with a survey and mind-mixer platform. There are QR Codes on the city hall bulletin board. We are hoping to do face-to-face interaction. We will have a presence at local businesses, to engage with employers and employees. They are hoping to collect feedback

through the holidays. She will post information on the city's platforms. Councilmember Schroeder asked LeAnne to reach out to the Hastings Chamber again for a presentation.

Chief Brad Starling presented citizen awards to the following people who entered into a May 23rd house fire and assisted two neighbors and their dog to safety: Dylan Crawford and Adam Saenzpardo. Others who assisted in the rescue and will be recognized at a later date at the Fire Station are Joe and Crystal Hupp.

Mayor Stutte recognized service anniversaries for Rebecca Harpham, Fire, 20; Kevin Johnson, Utility, 5; Noel Nienhueser, Utility, 15; Terri Cushman, Museum, 10; Rex Rowley, Utility, 10.

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, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

(a) Approval of the minutes of the Special (Budget) Council Meeting of September 27,

(b) Approval of the minutes of the Regular Council Meeting of September 27,

(c) Approval of the minutes of the Worksession of September 19, 2022

(d) Approval of claims and payroll

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

(f) Approval of Work Order EL-228, installation of a polemount transformer and meter pedestal on Second Street west of Marian Road for service to new camper storage facility at 3110 West Second Street

(g) Approval of Work Order EL-231, temporary construction power for Heartwell Renewables Railyard

(h) Approval of Work Order EL-232, temporary construction power for Heartwell Renewables on the east side, east of Technical Boulevard and south of Highway 6

(i) Approval of Work Order EL-233, installation of underground street light circuit along "G" Street in the Industrial Park West

(j) Approval of invoices from the Community Redevelopment Authority in the amount of \$264,420.00 for work completed at 705 W. 2nd Street for Community Development Block Grant Project 19-DTR-103, Downtown Revitalization Project

(k) Approval of the request for Community Development Block Grant funds, Drawdown #13, in the amount of \$203,338.97 for Community Development Block Grant Project 19-DTR-103, Downtown Revitalization Project

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Moved by Shawn Hartmann seconded by Chuck Rosenberg to adjourn as Mayor and City Council and reconvene as Board of Equalization. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

Public hearing on the levying of assessments in the Business Improvement District.

Megan Arrington-Williams, Director Business Improvement District (BID), presented information on assessments to be levied. She is now fully responsible for the BID, taking the place of Randy Chick in that role. Assessment impacts are public improvements and promotions, service and

supplies, and administration. This is the basic impact assessment for the BID. The BID Provides trash pickup, weed spraying, tree trimming, and other public maintenance. They collaborate and financially support the Downtown Center Association (DTCA) and other entities with events. They collaborate with Adams County Convention and Visitors Bureau and DTCA to promote the district in local and statewide publications. They also recruit potential developers and new businesses to the district assisting with site selection, financing, and permit related issues. She listed a few projects that BID helped to leverage funds on with Community Development Block Grants transforming downtown. The BID budget increased 28% over the last 10-year period, but valuation increased 84% over the same time period. The assessment rate decreased 30% over the 10-year period. Spoke For: Dave Rippe, THOAR, 109 North Hastings; Matt Haybrock, downtown. Spoke Against: None. Clerk stated that she received one protest letter, which was from Greg Sinner. Properties included in the protest were 710 & 712 West 2nd Street.

(b) Moved by Matt Fong seconded by Shawn Hartmann to adjourn as Board of Equalization and reconvene as Mayor and City Council. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

(c) Moved by Ginny Skutnik seconded by Matt Fong to approve Resolution No. 2022-31 making assessments in the Business Improvement District of the City of Hastings. The council discussed forgiving the assessments on the two properties and the concern about whether this should be a special case and how that decision might open up for other properties or set a precedence for the future.

Moved by Chuck Rosenberg seconded by Butch Eley to amend Resolution No. 2022-31, Exhibit A to delete those assessments as it relates to the parcel that ends with the last four digits 6027 and 6028 for one year. Greg Sinner, 813 North Shore Drive, spoke in support of his request. The fire did not reach his property, but it sustained lots of damage from heat, smoke, and water. Vote on Amendment Roll Call: Ayes: Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder. Nays: Matt Fong, Ginny Skutnik, Jeniffer Beahm. Absent: Joy Huffaker. Mayor Stutte expressed his desire not to provide the fifth vote to approve the amendment to the resolution. The motion failed.

Vote on Resolution 2022-31: Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

(d) Public hearing on the application of Golden Entertainment NE Inc. dba "Golden Ticket Cinemas" for a Class "I" Liquor License at 3207 West 12th Street. Chief Story reported no issues with the application. No public spoke. No objections were received. Chris Britten spoke in support of the item.

Moved by Matt Fong seconded by Shawn Hartmann to approve Resolution No. 2022-33 approving the application of Golden Entertainment NE Inc. dba "Golden Ticket Cinemas" for a Class "I" Liquor License at 3207 West 12th Street. I (i) The Class "I" Liquor License is for retail sale of beer, wine and spirits, on sale only. There previously has not been a liquor license at this location. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

(e) Moved by Shawn Hartmann seconded by Ginny Skutnik to approve the manager application of Christopher S. Britten in connection with the Class "I" Liquor License of Golden Entertainment NE Inc. dba "Golden Ticket Cinemas" located at 3207 West 12th Street. Chris Britten explained why they need a liquor license and their plans on how it would work at the theatre.

Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

(f) Public hearing on the request of the City of Hastings Development Services Department to amend City Code Chapter 34, Section 34-104, Descriptions and Categories of Uses and Section 34-302, Home Occupations. No public spoke. No objections were received.

ORDINANCE NO. 4719 AMENDING SECTION 34-104 AND SECTION 34-302 OF THE CITY CODE ADDRESSING THE DEFINITIONS OF CHILD CARE AND REGULATIONS OF HOME OCCUPATIONS

Lee Vrooman spoke on this item. Proposed code changes have been reviewed and worked on by the Planning Commission at multiple meetings. They recommended approval. The administrative permit was removed and there was the addition of a conditional use permit option. The definition of childcare will be consistent with a state license.

Moved by Chuck Rosenberg seconded by Butch Eley to approve Ordinance No. 4719 to amend the Hastings City Code sections 34-302 to amend language for Home Occupations and 34-104 regarding definitions of child care on first reading only. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried on first reading only.

4. General Business.

(a) Moved by Ginny Skutnik seconded by Butch Eley to approve the Employment Agreement between the City and Shawn Metcalf for the City Administrator position. Mayor Stutte stated that we have been working on an agreement for the past few weeks with Shawn Metcalf. Shawn Metcalf attended the meeting remotely. He stated this has been a good process in getting us to this point. He thanked Mayor Stutte, City Council, the interview committee, and Lori Hartman. He received many warm welcomes on coming to Hastings. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

(b) Moved by Matt Fong seconded by Chuck Rosenberg to approve the Moving and Relocation Agreement between the City and Shawn Metcalf for relocation costs. Shawn Metcalf will officially notify his council tomorrow of his resignation. He plans to begin his employment with the City of Hastings no later than December 15th. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

5. Ordinances and Resolutions.

None.

6. Final Passage of Ordinances.

None.

7. Appointments.

None.

8. Miscellaneous and Other Business.
None.

Moved by Ginny Skutnik seconded by Matt Fong there being no further business to come before the council to adjourn at 6:14 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Joy Huffaker. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)