

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, January 9, 2023

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 January 9, 2023.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm, Marc Rowan, Brad Consbruck, Steve Huntley.
Absent: None.

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

Moved by Butch Eley seconded by Shawn Hartmann to adopt the current agenda for the January 9, 2023 Regular Meeting. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, 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, January 6, 2023. 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:

None.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked Kevin Johnson for serving as Interim City Administrator.

Mayor Stutte recognized employee service anniversaries for Lee Vrooman, Engineering, 25; Mike Bloomberg, Street, 20; Edward Kalvoda, Utility, 15; Becky Tideman, Museum, 10; Ethan Hoins, Utility, 10; Landon Jensen, Utility, 10; Paul Ishii, Fire, 15.

Mayor and Council's Unified Direction to the City Administrator.
No direction was given.

CONSENT AGENDA:

1. All Consent Items.

Moved by Matt Fong seconded by Shawn Hartmann to approve the consent items, as presented. Jesse Oswald explained that typically the consent items are housekeeping items. Commonly, under this item there would be approval of minutes, bills, or work orders. Items that are listed are expected to pass without discussion. Historically, if a council member wants to have further discussion, it is brought up to the mayor to have further discussion. This has been handled by a motion to remove an item from the consent section and move it to a more appropriate part of the agenda. The process can change if the council deems it necessary.

Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Abstain: Rowan. Absent: None. The motion carried.

(a) Approval of the minutes of the Council Meeting of December 12, 2022

(b) Approval of claims and payroll

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

(d) Approval of Work Order EL-242, installation of three phase UGD electric line and padmount transformer to serve a new washbay and engine heaters for Vontz Construction at 2355 West Highway 6

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of Adams County for voluntary annexation to bring a tract of land into the corporate limits of the City of Hastings for property generally located on the southeast corner of Baltimore Avenue and M Street. Lee Vrooman reported this annexation was previously heard earlier this year, as Ordinance 4703. There was a 30 foot strip of M Street that was not included in the previous annexation, making the county jail property non-contiguous. To make the Adams County Justice Center property contiguous with the City, this strip of M Street is required to be included in the annexation. This is a housekeeping issue. Planning Commission recommended approval 8-0.

ORDINANCE NO. 4728 REQUESTING VOLUNTARY ANNEXATION TO BRING A TRACT OF LAND INTO THE CORPORATE LIMITS OF THE CITY OF HASTINGS FOR PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF BALTIMORE AVENUE AND M STREET AND REPEALING ORDINANCE 4703

Mayor Stutte explained that annexation is required to be read three times. No suspension of rules is allowed.

Moved by Matt Fong seconded by Steve Huntley to approve Ordinance No. 4728 for voluntary annexation to bring a tract of land into the corporate limits of the City of Hastings, generally located on the southeast corner of Baltimore Avenue and M Street and Repealing Ordinance 4703, on first reading. Jesse Oswald explained that the property was platted in the 1880's and was never developed. At that time, land was not platted to the middle of the street. Per law, it only went to the edge of the street. New laws now mandate to plat to the middle of the street. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Public hearing on the request of Randy Chick regarding Plan Modification No. 2022-5 to Redevelopment Area #1, Wolbach Building Project, for property commonly addressed as 705 West 2nd Street, Hastings, Nebraska. Lee Vrooman reported that Bad Sportz Inc wants to amend the Redevelopment Plan for Area #1. The developer intends to renovate the existing building into retail, utilizing Tax Increment Financing. No rezoning is required. No public spoke. No objections were received.

Randy Chick, Community Redevelopment Authority (CRA) Director, spoke in support. When the CRA makes a substantial change to a redevelopment plan, they are required to do certain things to show they are following the Redevelopment Act. Randy listed several of those

requirements. CRA was established by ordinance in March 1987, and is governed by a five-member board. Randy explained the CRA and what they do and also how Tax Increment Financing works within a project. This item would allow Tax Increment Financing (TIF) for this project.

Moved by Shawn Hartmann seconded by Butch Eley to approve Resolution No. 2023-01 Plan Modification No. 2022-5 to Redevelopment Area Number #1, Wolbach Building Project, for property commonly addressed as 705 W 2nd St Hastings, Adams County, Nebraska.

Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Public hearing on the application of Family Dollar, Inc. dba "Family Dollar 25015" for a Class "B" Liquor License (Beer, Off Sale) at 811 S. Burlington Avenue. Police Chief Story recommended approval. No public spoke. No objections were received.

Moved by Matt Fong seconded by Shawn Hartmann to approve Resolution No. 2023-02 approving the application of Family Dollar, Inc. dba "Family Dollar 25015" for a Class "B" Liquor License at 811 S. Burlington Avenue. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(d) Moved by Butch Eley seconded by Shawn Hartmann to approve the manager application of Chad A. Thomas in connection with the Class "B" Liquor License of Family Dollar, Inc. dba "Family Dollar 25015" located at 811 S. Burlington Avenue. Police Chief Story recommended approval. He explained that all liquor license/manager applications go to the State of Nebraska. If the city denies, then staff must attend a hearing in Lincoln at the State level to explain our reasoning. We review for any disqualifiers, such as illegal activity. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(e) Public hearing on the application of RL Fridley Theatres, Inc. dba "Rivoli Theatre" for a Class "I" Liquor License (Beer, Wine, Spirits, On Sale) at 528 W. 2nd Street. Police Chief Story recommended approval after review. No public spoke. No objections were received.

Moved by Shawn Hartmann seconded by Jeniffer Beahm to approve Resolution No. 2023-03 approving the application of RL Fridley Theatres, Inc. dba "Rivoli Theatre" for a Class "I" Liquor License at 528 W. 2nd Street. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: Marc Rowan. Absent: None. The motion carried.

(f) Moved by Jeniffer Beahm seconded by Shawn Hartmann to approve the manager application of Bryce J. Blecha in connection with the Class "I" Liquor License of RL Fridley Theatres, Inc. dba "Rivoli Theatre" located at 528 W. 2nd Street. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

4. General Business.

(a) Moved by Matt Fong seconded by Shawn Hartmann to approve moving the City Council Worksession from Monday, January 16, 2023 to Tuesday, January 17, 2023 at 5:30 P.M. Mayor Stutte explained that the meeting needs to be moved, since the City of Hastings will be closed in observance of Martin Luther King Day on the regularly scheduled City Council meeting date.

Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Advising of objections to Street Improvement District 2022-2, Lakeview 10th Addition. Lee Vrooman reported that this is part of the district process. If any objections, they would be recognized on the letter. This paving district had no objections, so the district is valid.

(c) Moved by Jeniffer Beahm seconded by Matt Fong to approve Agreement with Van Kirk Brothers Contracting for Lakeview 10th Water and Sewer Additions HU 2022-37 for the amount of \$303,452.28. Lee Vrooman reported that this project is to install water and sewer mains on Lakeview Avenue for Water Extension District 2022-2 and Sewer Extension District 2022-1. We received three bids on December 23, 2023. The low bid was from Van Kirk Brothers Contracting of \$303,452.28 is under the Engineer's Estimate of \$455,000. Work is anticipated to start this summer with a December 1, 2023 completion date. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

5. Ordinances and Resolutions.
None.

6. Final Passage of Ordinances.
None.

7. Appointments.

(a) Moved by Butch Eley seconded by Shawn Hartmann to appoint Lee Vrooman as the City of Hastings' Street Superintendent. Lee Vrooman reported that this is a requirement of Nebraska Department of Transportation (NDOT) in order to determine the city's annual incentive payment. Typically, this was done every four years, but they have requested documentation every year. Steve Kostner is Street Superintendent for the Street Department. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Moved by Matt Fong seconded by Shawn Hartmann to appoint City Council Liaisons, as presented by Mayor Stutte.

Fire Pension Committee: Shawn Hartmann and Steve Huntley

Utility Advisory Board: Butch Eley and Shawn Hartmann

Mayor's Youth Council: Corey Stutte and Jeniffer Beahm

City Tree Board: Marc Rowan

Museum Board: Jeniffer Beahm

Joint City-County Board: Butch Eley, Marc Rowan and Steve Huntley

Little Blue NRD: Joy Huffaker

Police Pension Committee: Joy Huffaker

Hastings Area Chamber of Commerce: Butch Eley

Electrical Exam Board: Brad Consbruck

Airport Advisory Board: Shawn Hartmann

Police Pension Committee: Brad Consbruck

Library Board: Matt Fong

Hastings Economic Development Corporation: Matt Fong

Mechanical Examining Board: Shawn Hartmann

Hastings Public Access Channel: Jeniffer Beahm

Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

8. Miscellaneous and Other Business.
None.

Moved by Matt Fong seconded by Butch Eley there being no further business to come before the City Council to adjourn at 6:17 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: Marc Rowan. Absent: None. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)