

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, July 24, 2023

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Public Library, 314 N. Denver Avenue, on July 24, 2023.

The meeting was called to order at 5:30 p.m. in Regular Session by Council President Matt Fong with the following members present: Steve Huntley, Brad Consbruck, Shawn Hartmann, Joy Huffaker, Marc Rowan, Butch Eley, Jeniffer Beahm. Absent: Corey Stutte.

The following City Officials were present: City Administrator, Shawn Metcalf; City Attorney, Jesse Oswald; Utility Manager, Kevin Johnson; 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 Development Services, Chad Bunker; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson; Airport Manager, Matt Kuhr; Library Director, Amy Dissmeyer.

Council President Fong 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 current agenda for the July 24, 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, July 21, 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 available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

COUNCIL COMMUNICATION:

Councilmember Rowan reminded the group of the Ward 3 town hall meeting on August 24th, 7:00p.m., at the Hastings Museum.

Councilmember Fong reminded the group of the Nebraska Department of Transportation's Open House on the Highway 6 project tomorrow at 4:00 P.M. at the City Auditorium.

CITIZEN COMMUNICATIONS:

Spoke for Item 5a - Ordinance amending 8-107: Pierce Fiala, 200 North Burlington Ave, Ste 100 (Joy Ride Pedal Company).

MAYOR'S COMMUNICATIONS:

None.

CONSENT AGENDA:

1. All Consent Items.

Moved by Shawn Hartmann seconded by Jeniffer Beahm to approve all consent items, as presented. 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.

(a) Approval of the minutes of the Council Meeting of July 10, 2023

(b) Approval of claims and payroll

- (c) Approval of Work Order EL-251, installation of a new three-phase padmount transformer to serve electric vehicle charging stations at Hastings Ford
- (d) Approval of Work Order EL-252, installation of three-phase underground electric lines and padmount transformers and switches to serve Flowserve at 1341 West 2nd Street
- (e) Approval of Work Order EL-253, rebuild existing overhead power line along Highland Road from 12th Street to 1/2 mile north; and new underground power lines and padmount switches and transformers to distribute power from 2nd Solar Power Field
- (f) Approval of Work Order EL-254, installation of a single-phase underground electric line and padmount transformer to serve a new Verizon tower on Utecht Circle
- (g) Approval of Work Order EL-255, installation of post top street lights along East Laux Avenue from the Hike and Bike Trail to 33rd Street
- (h) Approval of Work Order EL-256, installation of a single-phase underground electric line and padmount transformer to serve a new shop/storage building at 3904 Utecht Circle

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the application of Kitty's Roadhouse I, LLC dba "Kitty's Roadhouse" for a Class "CK" Liquor License (Beer, Wine, Spirits, On and Off Sale & Catering) at 1400 E. South Street. Chief Story reported on the staff review of the application and manager. No public spoke. No objections were received.

Motion by Shawn Hartmann seconded by Joy Huffaker to approve Resolution No. 2023-23 approving or denying the application of Kitty's Roadhouse I, LLC dba "Kitty's Roadhouse" for a Class "CK" Liquor License at 1400 E. South Street. Motion was withdrawn by Shawn Hartmann seconded by Butch Eley. 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.

Moved by Shawn Hartmann seconded by Joy Huffaker to approve Resolution No. 2023-23 approving the application of Kitty's Roadhouse I, LLC dba "Kitty's Roadhouse" for a Class "CK" Liquor License at 1400 E. South 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) Moved by Butch Eley seconded by Shawn Hartmann to approve the manager application of Scott D. Hinerman in connection with the Class "CK" Liquor License of Kitty's Roadhouse I, LLC dba "Kitty's Roadhouse" located at 1400 E. South 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 Shawn Hartmann seconded by Steve Huntley to approve the agreement with Jose A. Carrillo and Alba N. Bueno for the sale of property located at 1938 W. 8th Street to Jose A. Carrillo and Alba N. Bueno in the amount of \$20,000. Jesse Oswald reported that the city received this property, which had a dilapidated house on it. The city tore down the house and are looking to get it sold so a house can be built on the property. The budgeted money for tearing down dilapidated properties was used on this property. He also stated that this situation is highly unusual, as the city does not intend to own properties to turnaround and sell. 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.

(a) ORDINANCE NO. 4740 AMENDING SECTION 8-107 OF CITY CODE DEALING WITH THE CONSUMPTION OF ALCOHOL ON PROPERTY OWNED BY THE STATE OR CERTAIN GOVERNMENTAL SUBDIVISIONS

Jesse Oswald reported on this item. The first part of this item: The Antique Aircraft Association currently leases the Hastings Municipal Airport Building #1 (brick hangar), located at 3300 West 12th Street. They continue to hold annual antique aircraft fly-in events utilizing this building during the multiple-day event. Per staff discussions, it was decided to add this location to the city code to allow consumption of alcohol, in order to remove the need for the City Council to pass a resolution allowing alcohol for each individual event. Alcoholic liquors, including beer, may be sold or distributed for consumption under a special designated permit issued by the Nebraska Liquor Control Commission. The event organizer will continue to be required to submit an Event Application for City Council approval prior to each event, and is required to provide proper insurance coverage, per Event Application. The second part of this item: Regarding the change to allow limousines, party buses and pedal pub vehicles to operate on City streets; the City was approached by a local business that wants to bring a pedal pub vehicle to the City of Hastings. In review of City code it was identified by staff that City code did not currently allow any person to consume alcohol on public streets. This would include limousines and party buses. Therefore, under the proposed Ordinance, the City code would be updated to reflect state law which allows limousines, party buses and pedal pub passengers to consume alcoholic beverages while on public streets and in these vehicles.

Said Ordinance was read by title and thereafter Councilmember Shawn Hartmann moved for passage of the ordinance, which motion was seconded by Councilmember Butch Eley. Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: Marc Rowan. Absent: None. The motion carried.

Councilmember Shawn Hartmann moved that the statutory rule requiring reading on three different days be suspended; Councilmember Joy Huffaker seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: Marc Rowan. 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 ordinance is declared to be lawfully adopted upon publication as required by law.

(b) Moved by Butch Eley seconded by Shawn Hartmann to approve the request of the Antique Aircraft Association to host the Antique Aircraft Association Annual Fly In at the Hastings Airport Hanger #1 on August 25, 26, and 27, 2023. Matt Kuhr reported that this is the second year this event will take place at the Hastings Municipal Airport. This would allow them to have their banquet in the brick hangar. 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) Moved by Shawn Hartmann seconded by Joy Huffaker to approve the request of 201 N. Lincoln Enterprises, LLC dba Paul's Cigar Bar for a Special Designated Liquor License at the Hastings Municipal Airport Hangar #1 for the Antique Aircraft Association Annual Fly In on August 25, 26, and 27, 2023. 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 Jeniffer Beahm seconded by Steve Huntley to approve Resolution 2023-19 for the purpose of applying for federal assistance from the Recreational Trails Program to construct a trail on the south side of town. Jeff Hassenstab reported that the Recreational Trails Program is a grant administered through the Nebraska Game and Parks. Hastings is eligible to receive up to \$250,000 in assistance. The grant money would be used for Phase 4A of the Pioneer Spirit Trail in which City Engineering staff are currently designing. We are budgeting \$1.5 million for Phase 4A which is

approximately 2.1 miles of trail, the majority of the south side of town. Grant recipients will be notified in January. We plan to bid out Phase 4A this winter, for construction in 2024. The City is responsible for 20% of the \$250,000 grant. Jeff stated that the major funding source is sales tax.

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) Moved by Butch Eley seconded by Shawn Hartmann to approve Resolution No. 2023-22 approving Bylaws of the Hastings Museum Board. Teresa Kreutzen-Hodson spoke on this item. The previous version of the Board bylaws was approved when the Museum Board was a governing board. The changes to this document clean up the terminology and make the bylaws consistent with the Library Advisory Board bylaws. We are now an advisory board, not a governing board. 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.

(f) Moved by Shawn Hartmann seconded by Butch Eley to approve Resolution 2023-24 Approving plans, specifications and authorization to advertise for bids for Street Improvement District 2022-2 Lakeview 10th Addition. Lee Vrooman reported that plans and specifications have been completed and are ready to go out for bid. The bid opening date for this work will be August 16th with a hopeful award date of August 28, 2023. The plans and specifications are being brought before the council because the project is part of a district. 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.

6. Final Passage of Ordinances.
None.

7. Appointments.

(a) Moved by Butch Eley seconded by Shawn Hartmann to approve Mayor Stutte's appointments to Boards and Commissions, as listed:

Museum Board: Nicole Felber, 8/01/2023 to 8/1/2027, Reappointment

Housing Authority: Amy Swayze, 7/24/2023 to 7/24/2028, Replacing; Wesley Hester, 7/24/2023 to 7/24/2028, Replacing; Leonardo Carranza, 7/24/2023 to 7/24/2028, Replacing

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 Butch Eley seconded by Shawn Hartmann there being no further business to come before the council to adjourn at 6:07 P.M. 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.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)