

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, September 11, 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 September 11, 2017.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Ginny Skutnik, Jeniffer Beahm, Scott Snell, Paul Hamelink, Butch Eley, John Harrington. Absent: Phil Odom, Sarah Hoops.

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

Moved by Ginny Skutnik seconded by Scott Snell to adopt current agenda for September 11, 2017 Regular meeting. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. 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 Skutnik reported on the Museum Board meeting held last Friday. Today the Hastings Public Library closed in the east gallery. Upcoming events were discussed.

Councilmember Eley stated that Utility Board meetings will be held in the City Hall Council Chambers starting September 14, 2017.

MAYOR'S COMMUNICATIONS:

Mayor Stutte stated that our community has an impact on the rest of the nation in being involved in rescue efforts for the recent hurricanes in Texas and Florida.

Mayor Stutte recognized Service Anniversaries for Kevin Douglas, Street, 40 years; Kyle Williamson, Police, 5 years; Sheila Thompson, HU Admin, 10 years; Jean Gorecki, HU Accounting, 10 years; Mike Nissen, HU Gas, 15 years; Kenny Kyle, HU Gas, 15 years; Jon Johnston, HU Sub & Meter, 10 years.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by John Harrington to approve all Consent Items, as presented.

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

(a) Approval of the minutes of the Council Meeting of August 28, 2017

(b) Approval of the minutes of the Worksession of August 21, 2017

(c) Approval of the minutes of the Worksession of August 22, 2017

(d) Approval of claims and payroll

(e) Approval of the request of Hastings College to utilize city streets for the Melody Round-Up Parade on September 30, 2017

(f) Approval of the request of Hastings Police Department to utilize city streets for the Truck Convoy for Special Olympics on September 16, 2017

REGULAR AGENDA:

3. Public Hearings.

(a) Public hearing on the request of the Hastings Economic Development Corporation to bring the final plat for North Park Commons Addition within the corporate limits of the City of Hastings

Don Threewitt, Development Services Director, gave a staff report. Future land use designation for the area calls for a mix of employment, commercial retail and urban residential. Dave Rippe, HEDC, stood to speak in support. No public testimony was given. Clerk received no objections.

Moved by Scott Snell seconded by Butch Eley to approve bringing the final plat for North Park Commons Addition within the corporate limits of the City of Hastings. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(b) Moved by Ginny Skutnik seconded by Scott Snell to approve the final plat for North Park Commons Addition located in the South Half (S 1/2) of Section 31, Township 8 North, Range 9 West of the 6th P.M., Adams County, Nebraska. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(c) Public hearing on the request of the Hastings Economic Development Corporation for a zoning change from "A-Agricultural" to "C-3 Commercial Business" and "A-P Agricultural Planned District" for North Park Commons Addition

Don Threewitt, Development Services Director, gave a staff report. No public testimony was given. Clerk received no objections.

ORDINANCE NO. 4520 APPROVING ZONING CHANGE FROM "A-AGRICULTURAL" TO "C-3 COMMERCIAL BUSINESS" AND "A-P AGRICULTURAL PLANNED DISTRICT" FOR NORTH PARK COMMONS ADDITION

Said Ordinance was read by title and thereafter Councilmember Scott Snell moved for passage of the ordinance, which motion was seconded by Councilmember John Harrington.

The Mayor then stated the question "Shall Ordinance No. 4520 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Scott Snell seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. 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 September 15, 2017. Effective date of the ordinance is September 27, 2017.

(d) Public hearing on the request of Jean-Paul Escalera on behalf of Grace Baptist Church regarding a Conditional Use Permit for Neighborhood Assembly Uses at 235 South Burlington Avenue, Suite D

Don Threewitt, Development Services Director, gave a staff report. Annual notification will be required to confirm the use is still valid. Jean-Paul Escalera, Pastor Grace Baptist Church, spoke in support. No further public testimony was given. Clerk received no objections.

Moved by Paul Hamelink seconded by Butch Eley to approve Resolution No 2017-35. . Approving Conditional Use Permit for Neighborhood Assembly Uses at 235 South Burlington Avenue, Suite D, subject to the conditions as published excepting #3, assembly activity shall be limited to 7a.m. to 10 p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(e) Public hearing on the request of John Volkmer for a change of zoning from "R-1 Single Family Residential" to "R-3 Multiple Family Residential" at 850 South Kansas Avenue

Don Threewitt, Development Service Director, gave a staff report. Owner will allow duplex unit rental only, no separated ownership. No public testimony was given. Clerk received no objections.

ORDINANCE NO. 4521 APPROVING A CHANGE OF ZONING FROM "R-1 SINGLE FAMILY RESIDENTIAL" TO "R-3 MULTIPLE FAMILY RESIDENTIAL" AT 850 SOUTH KANSAS AVENUE

Said Ordinance was read by title and thereafter Councilmember John Harrington moved for passage of the ordinance, which motion was seconded by Councilmember Paul Hamelink.

The Mayor then stated the question "Shall Ordinance No. 4521 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember John Harrington seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. 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 September 15, 2017. Effective date of the ordinance is September 27, 2017.

(f) Public hearing regarding an amendment to the Comprehensive Plan of the City of Hastings, Nebraska to change the future land use from "Agricultural" to "Suburban Residential" for portions of Westbrook Village 11th, 12th, 13th, 14th, and 15th Additions to the City of Hastings

Don Threewitt, Development Services Director, gave staff report. This will make sure the entire area is designated as Suburban Residential on the map. No public testimony was given. Clerk received no objections.

ORDINANCE NO. 4522 AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF HASTINGS TO CHANGE THE FUTURE LAND USE FROM "AGRICULTURAL" TO "SUBURBAN RESIDENTIAL" FOR PORTIONS OF WESTBROOK VILLAGE 11TH, 12TH, 13TH, 14TH, AND 15TH ADDITIONS TO THE CITY OF HASTINGS

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

The Mayor then stated the question "Shall Ordinance No. 4522 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote

the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. 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 September 15, 2017. Effective date of the ordinance is September 27, 2017.

(g) Public hearing regarding the Blight and Substandard Determination Study and General Redevelopment Plan for Redevelopment Area #14 proposed for the City of Hastings

Don Threewitt, Development Services Director, gave a staff report. The study was reviewed and approved by the Community Redevelopment Authority (CRA) at its regular meeting held on June 20, 2017. Randy Chick, CRA, spoke in support. Clerk received no objections.

Moved by Scott Snell seconded by Jeniffer Beahm to approve Resolution 2017-36. . . Determining Redevelopment Area #14 Blighted and Substandard. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(h) Public hearing on application for Community Development Block Grant Program (Downtown Revitalization)

Randy Chick, Business Improvement District, spoke in support. These funds will be utilized to assist developers. Lori Ferguson, South Central Economic Development District (SCEDD), was in attendance to answer any questions. SCEDD will be grant administrators. No further testimony was given. Clerk received no objections.

Moved by Butch Eley seconded by Ginny Skutnik to approve application for Community Development Block Grant Program (Downtown Revitalization). Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(i) Public hearing on Community Development Block Grant Reuse Fund Loan to Pacha Soap Company

Dave Rippe, HEDC, spoke in support. These are considered a special revenue fund. They are federal funds that come through the state, then to the city and passed onto businesses to do projects. The loan is paid back and then put back into circulation to help more companies.

Moved by Ginny Skutnik seconded by Scott Snell to approve Resolution No. 2017-34. . . Approving Memorandum of Understanding with respect to a special economic development activity involving a \$385,000.00 loan to Pacha Soap Company with HEDC serving as Non-profit Development Corporation for the loan. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(j) Public hearing on the City of Hastings' property tax request and tax rate for fiscal year 2017-2018

Joe Patterson, City Administrator, this is the final step of the annual budget process. No public testimony was given. Clerk received no objections.

Moved by Butch Eley seconded by Ginny Skutnik to approve Resolution No. 2017-28. . . Establishing property tax requirement for Fiscal Year 2017-2018

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

(k) Public hearing on proposed 2017-2018 Annual Budget for the City of Hastings

No public testimony was given. Clerk received no objections.

ORDINANCE NO. 4518 ADOPTING THE ANNUAL APPROPRIATION BILL FOR THE CITY OF HASTINGS AND ADOPTING APPROPRIATE SUMS FOR THE NECESSARY EXPENSES AND LIABILITY FOR THE FISCAL YEAR 2017-2018

Said Ordinance was read by title and thereafter Councilmember John Harrington moved for passage of the ordinance, which motion was seconded by Councilmember Scott Snell.

The Mayor then stated the question "Shall Ordinance No. 4518 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. 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 September 15, 2017. Effective date of the ordinance is September 27, 2017.

(l) Moved by Paul Hamelink seconded by Ginny Skutnik to approve Resolution No. 2017-26. . . Adopting 2017-2018 Fee Resolution. Joe Patterson, City Administrator, stated their are minimal changes in fees. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

4. General Business.

(a) Moved by Ginny Skutnik seconded by Paul Hamelink to approve the final plat for Lakeview 7th Subdivision of the City of Hastings. Don Threewitt, Development Services Director, gave a staff report. The main difference between the original preliminary and final plat are that lots have been reduced to an average of 90 feet wide, but depth is identical. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(b) Moved by Butch Eley seconded by Ginny Skutnik to approve the preliminary plat for Shadow Ridge 7th Addition to the City of Hastings. Don Threewitt, Development Services Director, gave a staff report. Future land use designation for the area will be suburban residential. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(c) Moved by John Harrington seconded by Paul Hamelink to approve Lease Agreement #3 between the City of Hastings Police Department and the State of Nebraska for office rental for the Nebraska State Patrol at 317 S. Burlington. Police Chief Kortum stated this is an extension of the agreement. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(d) Moved by Ginny Skutnik seconded by Scott Snell to approve the Memorandum of Understanding with Hastings Economic Development Corporation to serve as a Non-Profit Development Corporation for loans to be made from the City CDBG Reuse funds. Dave Ptak, City Attorney, stated this is a companion item to 3.i. Pacha Soap Company, which requires a Memorandum of Understanding.

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

(e) Moved by Ginny Skutnik seconded by John Harrington to approve the Professional Services Agreement with South Central Economic Development District, Inc. (SCEDD) to service CDBG Economic Development Fund Administration. Dave Ptak, City Attorney, stated this is also a companion to item 3.i. Pacha Soap Company, to fulfill the requirement for SCEDD to serve as fund administration.

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

5. Ordinances and Resolutions.

(a) Moved by Paul Hamelink seconded by Ginny Skutnik to approve Resolution 2017-30. . . Authorizing levy Authority for the Community Redevelopment Authority in the amount of \$344,382.00 to help defray the expenses of the Authority for the 2017-2018 fiscal year. Randy Chick, CRA, stated these funds are generated to utilize for funding CRA activities. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(b) Moved by Ginny Skutnik seconded by Jeniffer Beahm to approve Resolution No. 2017-32. . . Authorizing Chief Elected Official to sign an application for Community Development Block Grant funds. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

(c) Moved by Paul Hamelink seconded by Ginny Skutnik to approve Resolution No. 2017-33. . . Adopting the Four Factor Analysis which states that the City of Hastings will provide assistance to those in need of translation assistance regarding documents associated with Community Development Block Grant funded projects. Joe Patterson, City Administrator, stated this is a federal requirement.

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

Moved by Ginny Skutnik seconded by Butch Eley there being no further business to adjourn at 6:22p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Phil Odom, Sarah Hoops. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)