

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL WORKSESSION
Monday, April 15, 2024

Pursuant to due call and notice thereof, a Worksession Meeting of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Municipal Airport, 3300 W. 12th Street, on April 15, 2024.

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

City Officials Present: Mayor Corey Stutte, Shawn Metcalf, Mark Funkey, Jesse Oswald, Lori Vorderstrasse, Adam Story, Brad Starling, Erik Nielsen, Kevin Johnson, Roger Nash, Jeff Hassenstab, Lee Vrooman, Teresa Kreutzer-Hodson, Amy Hafer, Marty Stange, Tony Hermann, Lori Hartman, Chad Bunger, Trent Clark, Derek Zeisler, Kirk Layton, Ember Batelaan.

Others Present: Sara Tall, BID Director

Pledge of Allegiance.

Moved by Butch Eley seconded by Jeniffer Beahm to adopt the current agenda for the April 15, 2024 City Council Worksession. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Shawn Hartmann, Matt Fong. Nays: None. Absent: Marc Rowan, Joy Huffaker. The motion carried.

Official Notice of the Worksession was published in the Hastings Tribune on Friday, April 12, 2024. 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 and a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

Citizen Communications: None.

Discussion on support of the Fire Department's request to seek Delegated Authority from the Nebraska State Fire Marshal as a pilot program. (*Postponed from March 25, 2024 City Council Meeting.*)

Brad Starling, Fire Chief, began with what delegated authority is and how it can impact the building process in Hastings. He indicated that delegated authority is the allowance by the state fire marshal to delegate their authority to local cities to streamline the inspection process, that they would do both the state and the city reviews, that it does not change code and it makes the process more efficient. Chief Starling stated he was asking for Council support for a one year trial of delegated authority. Councilmember Beahm questioned how they would decide which code to use, city or state. Chief Starling indicated that the most stringent code prevails and that the safety for the public is what gets enforced. Councilmember Hartmann stated that utilizing both codes can actually offer citizens a choice, whereas now, that isn't the case and it seems like providing a cost effective option is a good thing. Councilmember Eley questioned if Grand Island and Kearney used the same codes as Hastings. Chief Starling indicated that is correct, the International Fire Code. Councilmember Eley asked which cities in Nebraska have delegated authority. Chief Starling listed Grand Island, North Platte, Norfolk, LaVista, Bellevue, Lincoln, Omaha, Papillion. Councilmember Huntley asked if the Fire Chief can override a decision of fire marshal before it goes to the review board. Chief Starling indicated there are

checks and balances on a decision if there is a complaint on what is being enforced, it would be looked at internally and then on to an appeals board if it is a city code or on to the state if it is a state code. Council President Fong indicated this item would come before Council at an upcoming council meeting.

Discussion of Resolution No. 1344 regarding additional payment in lieu of taxes from Utilities to City from gas, water, and wastewater utility systems.

Kevin Johnson, Utility Manager, stated that Resolution No. 1344 is a companion to the payment in lieu of taxes for the gas, water and sewer ordinance. He has asked Derek Zeisler, Director of Energy Production and Supply, to give the Council a history on Resolution No. 1344 and what it currently does.

Mr. Zeisler indicated that with the discussion on Resolution No. 1344 there is no financial impact, just speaking on the efforts of transparency and how these things came to be. Mr. Zeisler stated that the intent of the resolution was that the City was needing funds and the Utilities had a surplus of funds. He told Council the resolution did what it was intended to do and was good for the citizens of Hastings. Mr. Zeisler indicated that in 1996, sewer was omitted and they don't have any historical information as to why it didn't continue. He said that Resolution No. 1344 calls for an annual review and that hasn't taken place. He stated the discussion they have been having is how to move forward as to whether to continue as is or roll the percentages in the resolution which includes water and gas into the payment in lieu of taxes. Councilmember Beahm questioned if this would be a tiered roll in system. Mr. Zeisler indicated all they are talking about now is getting rid of the resolution and including it with the payment in lieu of taxes. Kevin Johnson, Utility Director, mentioned that when they get closer to a proposal, they will take it to the Utility Advisory Board first and he would anticipate a phasing in period of time. Councilmember Huntley asked about the time frame for this to come back to Council. Mr. Zeisler indicated they would move fairly quickly but getting it before the Utility Advisory Board and then before Council would probably be around budget time.

Discussion of Downtown Rethink Our Streets Project.

Chad Bunger, Director of Development Services, indicated he wanted to talk about three topics all involving the downtown area: ReThink Our Streets, Entertainment District and Heartbeat Creative District.

Mr. Bunger started by discussing ReThink Our Streets and indicated that we currently have a special downtown and this focuses on reimagining how we use that space and creating an inviting environment. He spoke about Tactical Urbanism and instead of permanent improvements, do short term, low cost things to test things out before investing a lot of funds. He indicated they looked at four areas as downtown test block locations but that these areas are not set in stone: 1) First Street entertainment district, 2) Joseph Avenue festival street, 3) Third Street civic streetscape - civic center focused area, mid-block cross walk and 4) Second Street gateway streetscape - entry way, grand entrance. Mr. Bunger indicated they had shared the renderings presented to Council tonight with groups and Council can expect a more formal proposal in the near future asking Council to allow some experimenting to occur. He also told Council he hoped to do this in other parts of the community as well in a quality, but inexpensive way.

Mr. Bunger reviewed what an entertainment district entailed. He stated they had some open house gatherings with more than 150 ideas from routine events to seasonal events and streetscape improvements. He proposed taking advantage of a newer state statute (N. R. S. 53-123.17) where the local government can establish an entertainment district. He stated he

anticipated bringing forward to Council, a proposal to establish an entertainment district.

Sara Tall, BID Director, began discussion regarding the Creative District Program. She stated that it is a national program that focuses on art and creativity in a certain designated space and that our creative districts are set by the Nebraska Arts Council with state funding filtering through the Nebraska Arts Council to create more arts and creativity in our community. Ember Batelaan, City Planner, stated they were currently trying to set up a creative district with the proposed boundaries running from the train tracks to 7th Street, Burlington Avenue to Eastside Boulevard. She indicated they named the creative district the Heartbeat Creative District. Ms. Tall explained when they are talking about art it includes cultural events, sculptures, murals and concerts. She explained that the distributing of money is through the Nebraska Arts Council to be used for new programs or existing programs and that there is a lot of flexibility with the funds. Ms. Tall indicated the creative district provides a network of certified creative districts to partner with, 30 creative districts have been established in Nebraska, and it opens Hastings up to new types of tourism. She indicated that art and creativity are a huge economic driver in small communities, they promote civic pride and provide opportunity for citizen representation.

Ms. Batelaan indicated they started the application process back in December of 2022 with a letter of intent, worked with the Pulse planning group, did eligibility assessment with data and public input and then the Nebraska Arts Council came to visit and suggested revised boundaries, the application was accepted provisionally with it still needing more citizen engagement. She stated they are currently working on a survey that will be live in May with the hopes of submitting the application in October of 2024 and once certified, they will have to look into the sustainability of the district and in five years recertification. Ms. Batelaan listed the grant opportunities with becoming certified: \$10,000 awarded upon certification, \$250,000 creative district development grant can be applied for after certification, civic and community center financing fund with the City applying through a certified creative district. Ms. Tall reviewed support for the creative district through joining the PULSE group, use of Engage Hastings, the survey coming in May and future support for sustainability of the district making sure it lives on.

Councilmember Huntley asked if they were worried about losing parking stalls due to events. Mr. Bunker indicated most events will be on weekends and evenings and there are a lot of parking spaces available with many lots not utilized fully. Councilmember Huntley questioned how they would pay for chairs and tables for use downtown. Mr. Bunker indicated they would beg and borrow and find creative ways for people to fund items, through donations and finding sponsors. He said it would really be a grass roots effort. Councilmember Hartmann stated that having a parking issue is a good thing and indicated they have talked about doing something with the one way streets as a way to get more parking if we move forward in this direction. Lee Vrooman, City Engineer, stated that the one way/two way study would be coming before Council soon. Councilmember Beahm questioned if there was a safety and liability issue with some of this temporary testing. Jesse Oswald, City Attorney, indicated they would concentrate on best practice and work with departments on safety and just because it is temporary, doesn't mean they will do it in an unsafe way. Mayor Stutte stated he felt COVID opened up discussions about activities in downtown Hastings and it is good to see ideas continuing on. Shawn Metcalf, City Administrator, told Council that the community survey supports this type of thing and these activities, partnerships are the perfect way to do this and that the Nebraska League of Municipalities has been pushing the setting up of the creative districts and he felt the timing is right. Mr. Bunker stated he wanted to get this before Council and gain support and make sure they were going the right way.

Moved by Steve Huntley seconded by Butch Eley there being no further business to come before the Council, the meeting was adjourned at 6:24 p.m. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Shawn Hartmann, Matt Fong. Nays: None. Absent: Marc Rowan, Joy Huffaker. The motion carried.