

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, June 24, 2024

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 Municipal Airport, 3300 West 12th Street, on June 24, 2024.

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, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley. Absent: Jeniffer Beahm.

The following City Officials were present: City Administrator, Shawn Metcalf; City Attorney, Jesse Oswald; Utility Manager, Derek Zeisler; 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 Bunger; Public Information Manager, Tony Herrman; Safety Director, Trent Clark; Library Director, Amy Dissmeyer; Information Technology, Kirk Layton.

The Pledge of Allegiance to the Flag of the United States of America was recited.

Moved by Butch Eley seconded by Shawn Hartmann to adopt current agenda for June 24, 2024, Regular Meeting. Roll Call: Ayes: Steve Huntley, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: Jeniffer Beahm. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, June 21, 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.

COUNCIL COMMUNICATION:

Councilmember Consbruck wanted to correct the record, stating that he explains why he votes the way he does.

Councilmember Rowan commented on the nice mowing job on the north end of town.

Councilmember Fong reported that the Library Board held their regular meeting. The library has a great new program called Senior Planet. It is a free computer essentials class for seniors. They had their first graduation for the program and intend to hold the class again.

Councilmember Hartmann reminded everyone of the monthly burger feed being held this Saturday at the Hastings Municipal Airport.

CITIZEN COMMUNICATIONS:

Support Ordinance 4761: Dan Schwartzkof, 1400 N Turner; Brady Rhodes, 1000 W 9th; Bill Hitesman, 1612 Hillcrest, Juniata; Jody Stutzman, 709 N Briggs; Andrew Vrbas, 500 E 9th; Shawn Nordby, 1509 Westbrook (Mary Lanning Healthcare); Sheana Smith, 3504 Laredo; Matt Habroch, 620 W 2nd (Landmark Implement).

Either Way Ordinance 4761: Edward Krantz, 1203 E 9th.

Against Ordinance 4761: Paul Dietze, 1825 W 12th; Chuck Holmberg, 717 N Cedar.

MAYOR'S COMMUNICATIONS:

Mayor Stutte reminded the group that fireworks sales are June 28th through July 4th. He asked everyone to be considerate with fireworks and enjoy the events around town.

CONSENT AGENDA:

1. All Consent Items.

Moved by Matt Fong seconded by Shawn Hartmann to approve all consent items, as presented. Roll Call: Ayes: Steve Huntley, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: Jeniffer Beahm. The motion carried.

(a) Approval of the minutes of the Council Meeting of June 10, 2024

(b) Approval of claims and payroll

(c) Approval of Release of 60' Public Use Easement for Rief Development LLC

(d) Approval of Release of 30' Utility Easement for Rief Development LLC

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the application of Valentinis LLC dba "Valentinis Martini Bar & Gallery" for a Class "C" Liquor License (Beer, Wine, Spirits, On and Off Sale) at 3609 Cimarron Plaza, Suite #135. Police Chief Story reported that the Police Department processed the application and the manager and found no disqualifications. No public spoke.

Moved by Shawn Hartmann seconded by Butch Eley to approve Resolution No. 2024-37 approving the application of Valentinis LLC dba "Valentinis Martini Bar & Gallery" for a Class "C" Liquor License at 3609 Cimarron Plaza, Suite #135. Roll Call: Ayes: Steve Huntley, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: Jeniffer Beahm. The motion carried.

(b) Moved by Shawn Hartmann seconded by Matt Fong to approve the manager application of Maria Madrigal in connection with the Class "C" Liquor License of Valentinis LLC dba "Valentinis Martini Bar & Gallery" located at 3609 Cimarron Plaza, Suite #135. Roll Call: Ayes: Steve Huntley, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: Jeniffer Beahm. The motion carried.

4. General Business.

None.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4761 AMENDING THE ZONING DISTRICT MAP TO CHANGE ZONING FROM R-1A, SINGLE-FAMILY RESIDENTIAL LARGE LOT TO R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED TO THE SOUTHWEST OF THE INTERSECTION OF EAST 26TH STREET AND NORTH ELM STREET AND TO AMEND THE OFFICIAL ZONING DISTRICT MAP (*Passed on First Reading on June 10, 2024*)

Moved by Shawn Hartmann seconded by Matt Fong to approve Ordinance No. 4761 and the amendment to the Official Zoning District Map to rezone property generally located to the southwest of the intersection of East 26th Street and North Elm Street, City of Hastings, City of Hastings, Adams County, Nebraska, from R-1A, Single-Family Residential Large Lot to R-3,

Multiple-Family Residential District, and to amend the Official Zoning District Map. (Second Reading only)

Councilmember Hartmann stated that with the overwhelming support received at the last meeting, it was disappointing to see votes against it without explanation. Councilmember Eley reported that we are still approximately 1,300 housing units down for the city. It is not only all about affordable housing, but it is also about workforce housing and higher end housing. This development is workforce housing. Council has been accused of not being developer friendly. When we vote against developments like this, we show that we are not developer friendly. We need to vote for what is good for citizens and the future of Hastings. We should explain the reason why we are voting the way we are to let our constituents know the reason.

Councilmember Huntley asked about the 404 case. Chad Bunger gave an overview of Section 404, which is part of the Clean Water Act. The U.S. Corps of Army Engineers oversees it. Mayor Stutte stated this item is a rezoning application, not about runoff or blight or substandard issues. Councilmember Consbruck stated that he is not against housing and never has been. He has explained his votes. He asked who would be responsible for water issues that come up in developments? Lee Vrooman explained that developers, engineers, and consultants do the calculations and city staff reviews to see if it is appropriate for city code. Mayor Stutte explained that there is a site planning process for developments. We are not talking about that with this item. Councilmember Huntley agreed that we need housing. He still has questions about the development. Councilmember Fong restated that the question in front of us is discussion of a rezone. He asked Chad Bunger to talk over the process going forward. Chad Bunger explained that if the rezoning passes, then they can legally be allowed to construct anything from the permitted/conditional uses within the zoning. The preliminary plat lays out what the intentions are for the lot configuration, layout of roads, preliminary design of the infrastructure and stormwater. The final plat legally defines each lot, road right-of-way and any utility easements that need to accompany that. Public infrastructure and roadways can then be designed by developer consultants or city staff. Once the design is done, that would be constructed by the developer, per our specifications. It will then get turned over as public infrastructure at that point. Although the majority of the infrastructure for stormwater will be constructed, installed, and reviewed by engineers, most all of it will then be private infrastructure. It will be privately owned and maintained, but designed to our requirements. Then building permits can be applied for and issued and construction of any of the buildings can begin. Councilmember Fong stated that he is in favor of the redevelopment project, as we have discussed the significance of housing needs. Staff and developers will solve issues in the future with this development. Chad Bunger explained that at this point in the development process, this is preliminarily looked at to say this is the proposed development. We know building footprints generally, number of units, parking lot sizes, and amount of impervious surfaces. Those are provided by the developer and the consultant team. The developer and consultant team take that information and calculate anticipated runoff. Our standards say that you need to create infrastructure (private or public) to slow and capture stormwater runoff for post-construction. It must be equal to or less than what is coming off the land today as a farm field. Based on that, they come up with information that it meets standards. Then details are put into place of construction design, constructing and inspecting it. We are not at that point yet. It would be costly if the council does not approve those things, to put that much detail in a preliminary plat. We have enough information in the preliminary plat and they have met our standards. We will confirm they are designing to those specifications based on engineering. Developer and future owners will maintain that infrastructure. If there were to be a problem, the developer would need to make corrections. We are not at that point to know for sure if there will be water problems. We design for a certain standard, not for every storm. If approved, developer or city staff will design and will confirm if it meets our specifications. It is designed at an appropriate level to keep property and people safe. Mayor Stutte explained that we are in the policy making phase as a legislative body, and what is before you today is a rezone of the property. If

approved, we move into the site plan phase where we talk about engineered plans. Councilmember Huntley stated that he would be abstaining for reasons given earlier. Roll Call: Ayes: Brad Consbruck, Butch Eley, Joy Huffaker, Shawn Hartmann, Matt Fong. Nays: Marc Rowan. Abstain: Steve Huntley Absent: Jeniffer Beahm. The motion carried.

6. Final Passage of Ordinances.
None.

7. Appointments.

(a) Moved by Matt Fong seconded by Butch Eley to approve Mayor Stutte's appointments to the following boards:

Zoning Board of Adjustment: Ann Hinton, Term 6/24/2024 to 6/24/2027, Reappointment

Library Board: Caroline Kemp, Term 6/24/2024 to 6/24/2028, Replacing

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

8. Miscellaneous and Other Business.
None.

Moved by Steve Huntley seconded by Matt Fong there being no further business to adjourn at 6:26 P.M. Roll Call: Ayes: Steve Huntley, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: Jeniffer Beahm. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)