

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, August 12, 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 August 12, 2024.

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

The following City Officials were present: City Administrator, Shawn Metcalf; Asst. City Administrator, Mark Funkey; City Attorney, Jesse Oswald; City Clerk, Kimberly Jacobitz; Police Chief, Adam Story; Assistant Fire Chief, Troy Vorderstrasse; 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; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson; Public Information Manager, Tony Herrman; Safety Director, Trent Clark; Library Director, Amy Dissmeyer; City Planner, Ember Batelaan; Environmental Engineering, Marina Richards.

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

Moved by Butch Eley seconded by Matt Fong to adopt current agenda for August 12, 2024, Regular Meeting. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Marc Rowan, Matt Fong. Nays: None. Absent: Joy Huffaker, Shawn Hartmann. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, August 9, 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 Rowan commented about Mary Lanning Healthcare's great care. Councilmember Fong commented on the tumultuous weeks after the death of an international exchange student. He thanked City staff for their support throughout a tough situation. He thanked Hastings International Exchange Organization (HIEO) for the coordination of the program between HIEO and Ozu, Japan over the years. He also thanked the community for their support.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte echoed Councilmember Fong's comments about the Ozu, Japan group. We will celebrate 30 years in 2025 of the official relationship between Hastings and Ozu. He welcomed the Ozu group on Monday, July 29th, at the Hastings Public Library. He shared his condolences with the Mayor of Ozu and let them know we are saddened by the loss. The City of Hastings looks forward to continuing the relationship with Ozu, Japan. He gave a special thanks to the AquaCourt staff, Hastings Fire & Rescue, and Hastings Police for their involvement in the rescue. He also thanked the Administration for their hard work.

Shawn Metcalf commended all employees involved in the difficult AquaCourt incident. They did a professional job working through the situation. He announced that the City Clerk position is open

until August 23, 2024. He explained the process used for hiring a department head. He spoke about a citizen's comment made at the last council meeting that was not professional. Comments directed at staff performance impact the employee, department heads, and co-workers creating a negative atmosphere for staff. Mayor Stutte agreed with keeping decorum in council meetings.

Mayor Stutte recognized service anniversaries for Bruce Perry, Utility, 30; Rick Meyer, Engineering, 20; Robin Ginn, Finance, 5; Anthony Konen, Utility, 5; Zachary McCartney, Utility, 5; Joshua Newbrey, Police, 5; Emily Ostdiek, Police, 5; George Reitz, Police, 5; Janet Johnson, Solid Waste, 35; Jordan Cline, Utility, 5.

CONSENT AGENDA:

1. All Consent Items.

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

(a) Approval of the minutes of the Council Meeting of July 22, 2024

(b) Approval of the minutes of the Worksession of July 29, 2024

(c) Approval of claims and payroll except the claim of Eldon's Automotive Repair

(d) Approval of the renewal of Liquor License Applications for the following **Class "C" Liquor Licenses** for the period of November 1, 2024 through October 31, 2025: 201 N. Lincoln Enterprises, LLC, 2nd Street Slammer, Inc., Adams County Ag. Society, BG Olive Saloon, LLC, B & R Stores, Inc. (2), Barrel Bar II, LLC, Blue Fork Kitchen, LLC, Brique 1887, LLC, Budson, Inc., Bullseye's, Inc., Caribbean Bar & Grill, LLC, Cheese Shop, LLC, Disabled American Veterans, Eagles FO Hastings Aerie 592, Gabriel Sanchez, George J. Beckby, Halftime Lounge, LLC, Hallett, Inc., Hastings Hospitality, Inc., Hastings Lodging 2, LLC, Highland Operating Company, Jelsh Ventures, LLC, Kitty's Roadhouse I, LLC, Hublocsters, LLC, L.A.K.E. Enterprises, Inc., Miscues, LLC, Murphy's Wagon Wheel, Inc., No Coast Brewing, LLC, Odyssey Hastings, LLC, Rivals Bar & Grill, LLC, RM Retail Services, LLC, Sky Bar, LLC, Steeple Brewing Company, LLC, The Wandering Well, LLC, Valentinis, LLC, Wanda's, LLC. **Catering** for the period of November 1, 2024 through October 31, 2025: 201 N. Lincoln Enterprises, LLC, 2nd Street Slammer Inc., Adams County Ag. Society, Blue Fork Kitchen, LLC, Bullseye's Inc., Eagles FO Hastings Aerie 592, L.A.K.E. Enterprises, Inc., No Coast Brewing, LLC, Kitty's Roadhouse I, LLC, Miscues, LLC, Murphy's Wagon Wheel, Inc., RM Retail Services, LLC, Steeple Brewing Company, LLC, The Wandering Well, LLC. **Cigar Shop** for the period of November 1, 2024 through October 31, 2025: 201 N. Lincoln Enterprises, LLC.

(e) Approval of Invoice No. 1790 from South Central Economic Development District in the amount of \$500.00 for administrative services for Community Development Block Grant Project 23-ED-001, WR Reserve

(f) Approval of the request for Community Development Block Grant funds, Drawdown #2, in the amount of \$500.00 for general administration services for Community Development Block Grant Project 23-ED-001, WR Reserve

(g) Approval of the request of Jelsh Ventures, LLC dba Frahm Bar to utilize city property for the Hastings Downtown Summer Concert Series event on September 12, 2024

(h) Approval of the request of Jelsh Ventures, LLC dba Frahm Bar for a Special Designated Liquor License for the Hastings Downtown Summer Concert Series event on North Hastings Avenue between 2nd Street and the alley to the south on September 12, 2024

(i) Approval of Work Order WA-130, new trench style floor drains, North Baltimore Reverse Osmosis Treatment Plant, 1605 W. 26th Street

(j) Approval of Work Order EL-280, installation of polemount transformers on Southern Hills Drive north of Idlewilde Road

(k) Approval of Work Order EL-281, installation of single-phase underground electric lines and padmount transformers for services to new track condos at Motorsport Park Hastings

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of the Community Redevelopment Authority regarding Plan Modification No. 2024-4 to Redevelopment Area No. 7 for the Ponderosa Park Redevelopment, generally located at the intersection of West 22nd Street and North Kansas Avenue.

Spoke For: Shannon Landauer, Hastings Economic Development District; Either Way: Mike Anderson, 1405 S Baltimore Ave.

Ember Batelaan, City Planner, reported that this property is located off of 22nd and Kansas Avenue. It is located within Redevelopment Area No. 7, which was declared blighted in October 1994, as well as having a general redevelopment plan at that time. In the Comprehensive Plan, it is shown as the Employment/Industrial land use category, so a medical clinic would conform to the plan. It is zoned as I-1 light industrial, which permits a medical clinic with a conditional use permit. That permit was approved on July 8, 2024. She presented the project cost and explained Tax Increment Financing (TIF). Without TIF, it would have a negative cash-on-cash return. Staff findings included that the cost/benefit of the project is in the long-term best interest of the community. The project rehabilitates a property that has been vacant/underutilized for a number of years. The Planning Commission voted 8-0 on July 16, 2024, to recommend approval to the City Council.

Moved by Butch Eley seconded by Matt Fong to approve Resolution No. 2024-46 approving Plan Modification No. 2024-4 to Redevelopment Area No. 7 for the Ponderosa Park Redevelopment, generally located at the intersection of West 22nd Street and North Kansas Avenue.

The building has deteriorated since 1996. Current property taxes were discussed versus the increased property taxes collected after the 15 years of TIF. Randy Chick, Community Redevelopment Authority (CRA), spoke on repayment of the TIF loan if the taxes are increased and payment is completed earlier than 15 years. Councilmember Eley stated that we can be developer friendly to encourage developers to build in our community. Councilmember Fong stated that this is a good investment and opportunity to support the developers. Mayor Stutte stated that without TIF, we lose one of the central incentives for developers to come in and redevelop properties. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Marc Rowan, Matt Fong. Nays: None. Absent: Joy Huffaker, Shawn Hartmann. The motion carried.

(b) Public Hearing on the request of Johnson Imperial Home Company of Hastings to annex Lochland Meadows Subdivision Number 17, an undeveloped tract of land to the north of the dead ends of Quail Ridge Avenue and Mallard Way Avenue. No public spoke.

Chad Bunger combined annexation and the final plat within his presentation. The applicant has requested the City annex the 20.54-acre tract of land into the Hastings corporate limits to continue the next phase of Lochland Meadows development. The next phase will occur with the Final Plat of Lochland Meadows Subdivision, Number 17. It is currently being used as agricultural land and is designated as Rural Residential. Staff reviewed the annexation request with applicable policies in the adopted Comprehensive Plan. In 2015, we approved a preliminary plat. It is currently zoned R1 and is adjacent to our city limits. The site can be served by existing infrastructure in the area. The Planning Commission recommended approval by a vote of 8-0 on July 16, 2024.

ORDINANCE NO. 4769 TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF AND ANNEX TO THE CITY OF HASTINGS, NEBRASKA CERTAIN CONTIGUOUS AND ADJACENT LANDS OUTSIDE THE CITY OF HASTINGS (First Reading)

Said Ordinance was read by title and thereafter Councilmember Matt Fong moved for passage of the ordinance on first reading only, which motion was seconded by Councilmember Butch Eley.

Chris Wissing, Johnson Imperial, 6204 Quail Ridge Avenue, stated the common area will be a park and will be maintained by the Homeowners' Association (HOA) at their expense. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Marc Rowan, Matt Fong. Nays: None.

Absent: Joy Huffaker, Shawn Hartmann. The motion carried.

Motion was made and withdrawn by Matt Fong for suspension of rules.

(c) Moved by Jeniffer Beahm seconded by Steve Huntley to approve the Lochland Meadows Subdivision Number 17 Final Plat. Councilmember Huntley asked why we didn't plat this in as an addition to the City instead of going through the annexation process. Chad Bunker explained that it was previously common practice to plat in as an addition. Several years ago a mistake was made with the Industrial Park North Area with one of the properties that was subdivided. A typo was made in the final plat subdivision document and it was misinterpreted that it was being brought into the City when it shouldn't have been, due to the agreement with Adams County and the property owners. He wanted to avoid any mishaps like that in the future, so he felt that it was important to annex by ordinance. City Subdivision Regulations spell out that an ordinance is required, not a resolution. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Marc Rowan, Matt Fong. Nays: None. Absent: Joy Huffaker, Shawn Hartmann. The motion carried.

4. General Business.

(a) Moved by Matt Fong seconded by Brad Consbruck to approve claim of Eldon's Automotive Repair in the amount of \$649.80 (City). Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Marc Rowan, Matt Fong. Nays: None. Absent: Joy Huffaker, Shawn Hartmann. The motion carried.

(b) Moved by Butch Eley seconded by Matt Fong to approve the agreement with The Wilson Group for window replacement at the Hastings Police Department Project No. CH 2024-20 in the amount of \$416,951. Police Captain Jason Haase reported that the windows have not been replaced in 45-50 years. We currently have a capital budget of \$239,000 for the project. That number was based off of an estimate received from a contractor in 2020. The bid is over the current capital allotment of \$239,888.00 by \$177,063. There were no local bidders. Engineering reached out to local bidders, but it was too big of a project. This project will replace 110 windows, which will complete all of the windows in the entire building. We have already had a series of windows replaced on the first floor. Councilmember Huntley asked where we would pull the funds for this project. Shawn Metcalf stated that it would be out of the current budget, from the cash balance in the General Fund. Councilmember Eley pointed out that the Police Department building was renovated from being a school and has nickel and dined us for many years. This is a good example of 50-year-old windows that were not replaced at the time of renovation. We need to be conscious of cutting costs similar to this when we receive city hall bids. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Marc Rowan, Matt Fong. Nays: None. Absent: Joy Huffaker, Shawn Hartmann. The motion carried.

5. Ordinances and Resolutions.

None.

6. Final Passage of Ordinances.

None.

7. Appointments.

None.

8. Miscellaneous and Other Business.

None.

Moved by Steve Huntley seconded by Butch Eley there being no further business to come before the council to adjourn at 6:16 P.M. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Marc Rowan, Matt Fong. Nays: None. Absent: Joy Huffaker, Shawn Hartmann. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)