

CITY OF HASTINGS, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
Tuesday, February 26, 2019

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 February 26, 2019.

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, Ted Schroeder, Butch Eley, Scott Snell, Chuck Rosenberg, Paul Hamelink, Matt Fong. Absent: None.

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

Moved by Butch Eley seconded by Ginny Skutnik to adopt current agenda for February 26, 2019 Regular Meeting. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 Hamelink thanked city employees for prompt snow removal. Councilmember Rosenberg attended the League of Municipalities' meeting and feels good about our community, especially after hearing issues in other cities. Councilmember Eley stated the solar farm being discussed tonight was generated from public interest. He commended utility staff for their work on the solar farm.

**CITIZEN COMMUNICATIONS:**

Benjamin Moritz, Vice-President of the Mayor's Youth Council, spoke about the upcoming 5K Run and Walk Against Cancer.

Citizens who spoke on Ordinance 4570: Brandon White, Clark Williams, and Dustin John.

**MAYOR'S COMMUNICATIONS:**

Mayor Stutte thanked city employees for their hard work on snow removal and late night hours.

Don Threewitt, Development Services Director, gave an update on Quiet Crossings. Priorities are being defined and funds allocated to update the quiet crossings study.

Mayor Stutte informed the group of weapons ordinance copies available to the public in the back of the chambers. He supports Ordinance 4570, as it is written.

**CONSENT AGENDA:**

1. All Consent Items.

Moved by Ginny Skutnik seconded by Matt Fong to approve all consent items, as presented.

Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(a) Approval of the minutes of the Council Meeting of February 11, 2019

(b) Approval of claims and payroll

(c) Approve receiving and placing on file department monthly reports

(d) Approval of Work Order WA-353

(e) Approval of Work Order EL-77

(f) Approval of the request of Mayor's Youth Council to utilize city streets for the Mayor's Youth Council 5K Run and Walk Against Cancer

## **REGULAR AGENDA:**

### **2. Unfinished Business of Preceding Meeting.**

None.

### **3. Public Hearings.**

None.

### **4. General Business.**

(a) Moved by Ginny Skutnik seconded by Jeniffer Beahm to approve the agreement entitled "Financial Agreement Hastings SE Detour" [Project S-6-4 (1022) C.N. 41086] and authorize the Mayor and the City Clerk to execute said agreement. Joe Patterson, City Administrator, stated this item relates to the portion of Showboat Boulevard within city limits. There is a truck route currently being bid for the county.

Whatever money city puts towards this section of truck route, those dollars would be matched by the county when the city does construction on 42nd Street. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm.

Nays: None. Absent: None. The motion carried.

(b) Moved by Ginny Skutnik seconded by Jeniffer Beahm to award the contract for furnishing one (1) Caterpillar Model 938M Loader with attachments to: NMC Cat, 10501 S U.S. HWY 281, Doniphan, NE 68832 in the following terms: Bid: \$247,285.00, Payment upon delivery: \$100,000, Principal to be financed: \$147,535, Interest rate: 3.83%, Period (2 years), Annual installment in arrears: \$78,108.12. Dave Wacker, City Engineer, stated the current budget includes down payment and Street Department will finance the remainder over next two years. Council held discussion on receiving only one bid on this equipment. Dave Wacker stated the advertisement was in the Hastings Tribune, on the city's website, and handed out to interested companies.

Moved by Butch Eley to table this item and go out for rebid. Motion died for lack of a second.

Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: Butch Eley. Absent: None. The motion carried.

(c) Moved by Scott Snell seconded by Paul Hamelink to award a contract for Hastings Community Solar Farm - Phase 1 (HU2018-11 FC-34) to Gen Pro Energy Solutions for a total cost of \$2,380,000 including sales tax, evaluated over the expected life of the field. Kevin Johnson, Utility Manager, stated questions and discussion were appreciated during the recent Council Worksession. Derek Zeisler, Energy Supply, stated further details should be available in one to two months. There will be at least three option levels for participation in the solar farm. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(d) Moved by Butch Eley seconded by Scott Snell to award a Contract for ASR Extraction Well - Pump and Wellhouse (Hu 2019-01 IC-01) to Downey Drilling in the amount of \$335,256. Kevin Johnson, Utility Manager, stated this item is #30 wellpump and wellhouse that was estimated to be at \$500,000. There were two bidders and they are recommending the low bidder. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(e) Moved by Ginny Skutnik seconded by Ted Schroeder to award a Contract for Engineering and Architectural Services for Renovation of the North Denver Station Administration Building to W Design of Hastings, Nebraska, for a total of \$71,280. Kevin Johnson stated the project was budgeted for security and customer service enhancement. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

## 5. Ordinances and Resolutions.

### (a) ORDINANCE NO. 4570 PROHIBITING THE POSSESSION OF DEADLY WEAPONS IN CITY BUILDINGS AND IN CITY VEHICLES

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

Joe Patterson, City Administration, reported that other communities are looking at weapons ordinances. Grand Island, Kearney, and North Platte follow State Statutes and do not have a local ordinance. Mayor Stutte stated we are trying to be the least restrictive as possible with protecting concealed carry permit holders. Library and Museum Directors were concerned with open carry soliciting emotions, especially in children. There was discussion at a worksession about being consistent going from one building to another. Discussion was held on whether the ordinance was restrictive enough, since it left out public parks.

Moved by Chuck Rosenberg seconded by Butch Eley to amend the ordinance to include city parks, for open carry only.

Police Chief Story stated the definition of city parks would be important. Dave Ptak mentioned it would be helpful to use the names of parks, not blanket language for city parks. There would be a requirement to post a notice in parks that open carry is prohibited.

Council discussed tabling the ordinance tonight and waiting on an amendment to be drafted by Dave Ptak, or discussing at a future worksession. Dave Ptak stated the ordinance is dealing with open carry in city vehicles, library, and museum. Adding parks to the ordinance will make it more difficult to monitor and enforce for police. The ordinance was drafted to be the least restrictive, but also address concerns as far as city buildings and vehicles.

Withdrawal of motion by Chuck Rosenberg and second by Butch Eley to amend ordinance to include city parks, for open carry only.

The Mayor then stated the question "Shall Ordinance No. 4570 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Jeniffer Beahm seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: Butch Eley. 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 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 March 1, 2019. Effective date of the ordinance is March 14, 2019.

(b) Moved by Butch Eley seconded by Chuck Rosenberg to approve Resolution No. 2019-1 approving 2020-2025 One and Six Year Street Improvement Plan. Dave Wacker, City Engineer, reported on the One and Six Year Plan. Dave Wacker explained the snow removal budget and how projects are chosen. The Quiet Zones will be discussed at the council retreat. One & Six Year Plan is attached and made a part of these minutes. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

6. Final Passage of Ordinances.  
None.

7. Appointments.  
None.

8. Miscellaneous and Other Business.  
None.

9. Possible Closed Session.  
None.

Moved by Ginny Skutnik seconded by Scott Snell there being no further business to adjourn at 6:50p.m.  
Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

APPROVED:

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Corey Stutte, Mayor

ATTEST:

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Kimberly S. Jacobitz, City Clerk

( S E A L )