

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL WORKSESSION
Monday, July 1, 2019

Pursuant to due call and notice thereof, a Worksession of the City Council of the City of Hastings, Nebraska was conducted in the Council Chambers of City Hall, 220 N. Hastings Avenue, on July 1, 2019.

The Worksession was called to order at 5:30 p.m. by Council President Paul Hamelink with the following members present: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Absent: Ted Schroeder.

City Officials Present: Mayor Corey Stutte, David Ptak, Clint Schukei, Mike Sullivan, Jeff Hassenstab, David Wacker, Steve Kostner, Kevin Johnson, Roger Nash, Jack Newlun, Brad Starling.

Moved by Ginny Skutnik seconded by Jeniffer Beahm to adopt the current agenda for the July 1, 2019 Worksession. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

Official Notice of the Worksession was published in the Hastings Tribune on Friday, June 28, 2019. 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. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

Discussion regarding issues related to storm aftermaths.

Dave Ptak, City Administrator, stated the issue they were discussing was a result of the wind storm of June 20th into June 21st. He indicated there was a lot of tree damage, uprooted trees and broken limbs as well as additional weakened limbs that have fallen since the storm. He reviewed Ordinance No. 3190 which was passed in 1990 and is the current status of City Code. He pointed out to Council the inconsistencies between the City Code and the Utility Department website. He stated he felt they needed to come up with a way forward with some consistency and determining where the responsibility lies. Mr. Ptak stated he felt it was important to hear from staff regarding what the cleanup efforts require and demands placed on staff.

Jack Newlun, Landfill Superintendent, began by stating that each storm is different and that the Landfill services six counties. He reviewed load counts with Council. (*Information sheet attached and made part of original minutes.*) He indicated they had extra staff to handle the increase in volume and that the general public helping themselves was the most beneficial.

Discussion was had on defining what needs to be done to help staff, what is fair to the public, how to make tree cleanup more manageable and possibly hiring a tree service for cleanup.

Steve Kostner, Street Superintendent, indicated that the Street Department's main concern is getting tree debris off the streets. He indicated that one issue they have is that residents don't have terrace trees yet have a pile of trees on their terrace to be picked up and if they don't pick them up, they'll just throw them into the street. He indicated they get called to go back when they have been through once or twice already if someone didn't get their trees out in a timely manner. He felt people are taking advantage of the service. Mr. Kostner indicated he has a

concern regarding tree height on streets currently and explained it is hard to get the large equipment and trucks down the street even during snow removal.

Mayor Stutte questioned at what point do regular city employees become waste management employees.

Councilmember Hamelink stated they need to determine what their responsibility is right now, storm or no storm.

Jeff Hassenstab, Parks and Recreation Director, indicated that the current practice is that general trimming of the terrace trees is the homeowner responsibility. He stated that the Parks Department is limited due to staffing and when they do trim trees it is usually bus routes, street resurfacing projects or if a tree is declared diseased or dead, the Parks Department will remove the tree at the City's expense. He indicated the City did have a forestry department back in the 80's but don't have the resources now. He explained that it has taken a lot longer to clean up trees because they can't stop mowing and they can't stop doing things at the softball complex. He also restated that it would be appreciated if the public helped themselves as much as they are able.

Council discussed shortening time limits for tree pickup for residents, preventative maintenance of terrace trees, incentivizing pickup for residents, providing an information hotline, setting up dumpsters for residents to put trees in, stopping the practice of going around and picking up trees, and establishing a forestry department for ongoing maintenance.

Councilmember Fong stated there is a lot to be said for education for community members.

Mayor Stutte stated that there are commercial services available and that may need to be looked at to help out.

Council discussed the previous forestry department and why it went away.

Mr. Ptak informed Council that they had six complains of damage resulting from tree debris cleanup so they are dealing with that aspect also. He also mentioned that in the past citizens have been allowed to go in to parks and saw up limbs but he said there is a heck of a liability to the City. He also mentioned the Utility Department has contracted with a company to trim terrace trees with utility lines overhead and stated they could consider expanding that service. He asked for direction from the Council on how staff should proceed and stated staff can put a policy together and come back to Council for their review.

Mayor Stutte suggested staff draw up policy over the next month or two and then come back and discuss it and that way they'll have something to really look at.

Mr. Ptak stated they need to clear up inconsistencies and be more specific in the definitions, look at contractual labor, dividing the City into quadrants and having an active trimming program. He also mentioned there most likely would be budget implications.

Mayor Stutte suggested seeing what other communities are doing and boiled it down to the issues of event response, maintenance and the terrace tree issue. He stated they may need to prioritize which have budget impacts that need to be done this year and set up a plan for the long term.

Update on EPA issues - Mike Sullivan.

Mike Sullivan, City EPA Attorney, spoke regarding ongoing EPA issues. *(Information sheet passed out to Council attached and made part of original minutes.)* He indicated their dealings with the EPA began in 1984 and stated the EPA declared a large part of Hastings as a Superfund Site. He explained there were seven subsites located in Hastings. He went on to explain the law and stated that if you generated the waste, transported the waste to a site, operated the site where the waste is or own the property when the contamination was done or now, you are responsible. Mr. Sullivan reviewed the following seven subsites: 1) Well No. 3 Subsite - former grain handling and Dutton Lainson, 2) Colorado Avenue Subsite - vacant lot now, 3) 2nd Street Subsite which we owned but didn't cause contamination, 4) North Landfill Subsite - we operated with the Navy, Dravo, and Dutton Lainson responsible for contamination, 5) South Landfill Subsite - Dravo and Dutton Lainson responsible for contamination, 6) Far-Mar-Co Subsite - not our issue, 7) Hastings East Industrial Park Subsite - Navy contamination.

He indicated that the subsite he wanted to discuss with Council was the South Landfill Subsite that was initially deemed by the EPA as insignificant and was simply being monitored. He stated that after 15 years the contamination has moved off site to about two and a half miles east into the Navy Ammunition Depot area and the EPA indicated that they want the three parties, the City, Dravo and Dutton Lainson, to address the contamination. Mr. Sullivan indicated that the parties involved have agreed to have a feasibility study done at the cost of \$40,000.00 for the first part of it that will be split between the three parties. He said once the study is done it will be submitted to the EPA for review to determine what will need to be done. Mr. Sullivan stated the EPA may just say watch and stay the course, pump and treat, or introduce a chemical that accelerates biodegradation. He explained to Council that an added complication is that Dravo has filed for corporate dissolution and that they have hired a firm to monitor the dissolution. He explained that the South Landfill plume has moved towards the Navy Ammunition Depot where there is also know contamination. He told Council they don't want to co-mingle the contamination.

Moved by Ginny Skutnik seconded by Matt Fong there being no further business to come before the Council, the meeting be adjourned at 7:00 P.M. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.