CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Tuesday, February 25, 2020

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 25, 2020.

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

The following City Officials were present: City Administrator, David Ptak; City Attorney, Clint Schukei; City Clerk, Kimberly Jacobitz; Police Chief, Adam Story; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; City Engineer, David Wacker; Utility Manager, Kevin Johnson; IT, Jake Frerichs; Development Services Director, Lisa Parnell-Rowe; Human Resource Director, Lori Hartman.

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

Moved by Butch Eley seconded by Matt Fong to adopt current agenda for February 25, 2020, Regular Meeting. 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.

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 Fong reported on the Library Board meeting. They are working on strategic plans, including continued offerings in the maker-space and evaluations for a new data base system for checkouts.

Councilmember Rosenberg reported on the Firefighter Pension Committee meeting. Wells Fargo will discontinue handling retirement funds. Firefighter pension will transition to Principle within the year. Bruce Sandahl, Chairman of the Firefighter Pension Committee, will be stepping down. He also reported on attending the League of Municipality meeting.

Councilmember Skutnik reported on the Tree Board meeting. They discussed green space suggestions for a parking lot at Lincoln and 1st Street.

Councilmember Beahm reported on the Mayor's Youth Council. She thanked all who supported the Hastings High/Adams Central bake sale, which raised approximately $200. The group is considering support of the food pantry and a movie in the park this spring.

CITIZEN COMMUNICATIONS:
None.

MAYOR'S COMMUNICATIONS:
Mayor Stutte thanked staff for their hard work this winter. He thanked the Longfellow 3rd Grade students for inviting him to speak on local government.

CONSENT AGENDA:
1. <u>All Consent Items.</u>
Moved by Paul Hamelink seconded by Chuck Rosenberg to approve all consent items, as presented. 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.
(a) Approval of the minutes of the Council Meeting of February 10, 2020
(b) Approval of the minutes of the Worksession of February 3, 2020
(c) Approval of claims and payroll
(d) Approve receiving and placing on file department monthly reports
(e) Approval of the request of Hastings Community Arts Council/Do The Brew to utilize city streets for the Downtown Do the Brew on April 25, 2020
(f) Approval of the request of the Hastings Community Arts Council for a Special Designated License for an event (Do The Brew) to be located at 1st Street and St. Joseph Avenue on April 25, 2020 with an alternate location of the Hastings City Auditorium, 400 N. Hastings Avenue
(g) Approval of Work Order GA-348
(h) Approval of Work Order EL-111
(i) Approval of Work Order PL-606

REGULAR AGENDA:
2. <u>Unfinished Business of Preceding Meeting.</u>
None.

3. <u>Public Hearings.</u>
(a) Public hearing on the application of The Wandering Well, LLC dba "The Wandering Well" for a Class "CK" Liquor License at 427 S. Showboat Boulevard. Police Chief Story reported staff reviewed and found nothing that would disqualify this establishment. No public spoke. No objections were received.

Moved by Matt Fong seconded by Chuck Rosenberg to approve Resolution No. 2020-10. . .Approving the application of The Wandering Well, LLC dba "The Wandering Well" for a Class "CK" Liquor License at 427 S. Showboat Boulevard. 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.

(b) Moved by Butch Eley seconded by Paul Hamelink to approve the manager application of Theresa L. Parr in connection with the Class "CK" Liquor License of The Wandering Well, LLC dba "The Wandering Well" located at 427 S. Showboat Boulevard. 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.

(c) Public hearing on the application of the Nebraska Softball Association dba "Nebraska Softball Association" for a Class "C" Liquor License at 4103 Osborne Drive East. Police Chief Story reported application was reviewed by staff and they recommend approval. No public spoke. No objections were received.

Moved by Butch Eley seconded by Scott Snell to approve Resolution No. 2020-11. . .Approving the application of the Nebraska Softball Association dba "Nebraska Softball Association" for a Class "C" Liquor License at 4103 Osborne Drive East. 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.

(d) Moved by Paul Hamelink seconded by Matt Fong to approve the manager application of Donald J. Patterson in connection with the Class "C" Liquor License of the Nebraska Softball Association dba "Nebraska Softball Association" located at 4103 Osborne Drive East. 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.

(e) Public hearing on the application of 201 N. Enterprises, LLC dba "Paul's Cigar Bar" for a Catering Liquor License at 201 N. Lincoln Avenue.

Councilmember Hamelink recused himself from this item, because of conflict of interest. He completed Potential Conflict of Interest Statement C-2A and submitted to the City Clerk.

Police Chief Story reported staff recommended approval. No public spoke. No objections were received.

Moved by Scott Snell seconded by Chuck Rosenberg to approve Resolution No. 2020-13. . . Approving application of 201 N. Enterprises, LLC dba "Paul's Cigar Bar" for a Catering Liquor License at 201 N. Lincoln Avenue. Roll Call: Ayes: Matt Fong, Chuck Rosenberg, Scott Snell, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(f) Public hearing regarding the status and implementation of CDBG 07-ED-005 Hastings Spec Building. Dave Ptak, City Administrator, reported this is a result of finalization of a CDBG grant on the spec building on the north side of Hastings. CDBG guidelines require public hearing when you apply and also when you close. The grant is subject to audit next month by the State Department of Economic Development. The Memorandum of Understanding, agenda item '4b', is the culmination of the spec building being transferred.

Michael Krings, Hastings Economic Development Corporation (HEDC), reported a $250,000 grant was awarded to the city in 2007. HEDC paired funding up with $900,000 of their investment into the spec building. The building was sold last May 2019 to Central Logistic Services. With the action tonight, the clock will begin on job creation requirements.

No public spoke. No objections were received.

4. <u>General Business.</u>
(a) Moved by Paul Hamelink seconded by Jeniffer Beahm to approve moving the City Council Worksession from Monday, March 2, 2020 to Monday, March 16, 2020 at 5:30 P.M. at the Hastings Public Library. This will allow auditors to attend the Utility Board meeting prior to meeting with the City Council. 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.

(b) Moved by Jeniffer Beahm seconded by Butch Eley to approve the Memorandum of Understanding with Central Logistic Services, Gibraltar Packaging, HEDC and the City of Hastings for Community Development Block Grant Project 07-ED-005. Dave Ptak reported this is the culmination of the block grant in the public hearing earlier on the agenda. 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.

(c) Moved by Matt Fong seconded by Chuck Rosenberg to approve the bid in the amount of $634,100.00 to Christiansen Commercial Contracting, Inc for the purchase and installation of a splash playground at the Hastings Aquacourt. Jeff Hassenstab, Parks and Recreation Director, reported the Aquacourt opened in 2004 and is in need of new features. The new splash playground will be paid out of the aquatics fund. Construction completion is planned for May 2021. 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.

(d) Moved by Butch Eley seconded by Matt Fong to approve contract amendment on Community Development Block Grant Project 17-DTR-105, Hastings Downtown Revitalization, to extend the end date from May 8, 2020 to November 20, 2021. Dave Ptak reported this will extend the 2017 block grant and it will be combined with the 2019 block grant, recently approved by council. 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.

(e) Moved by Ginny Skutnik seconded by Paul Hamelink to award bid for Project 2020 Tree Trimming and Removal for the Utilities Department, Parks Department, and Street Department to:
The Green Tree Company,1736 205th Street,PO Box 654,Red Oak, IA 51566-0654.
Terms as follows:
UTILITY DEPARTMENT WORK:
2020 - $551,200.00
2021 - $527,800.00
TOTAL: $1,079,000.00

STREET DEPARTMENT AND PARKS DEPARTMENT:
2020 - $423,590.00
2021 - $120,230.00
TOTAL: $543,820.00

Jeff Hassenstab reported this project was presented at the Council Worksession in February. One bid was received. This contract will be completed over a two year period.

Kevin Johnson, Utility Manager, stated they have not used their tree trimming budget year-to-year, because of the challenges with contractors. The money does not carry over, but Utility Department will manage their capital spend through their execution of other capital projects to cover this.

Dave Ptak is not aware of any negotiations with the contractor, per discussion at the worksession. He stated this is a prioritized contract, based upon the needs to clear the lines. Many of these lines are in the rear yards of properties. We required a bid bond, because of the complexity of the work, which might have kept bidders away. This company has a certified arborist on staff. When we get caught up, we will probably look to a revolving contract to maintain trimming. The city could also look at the cost of doing this in-house at a later date. Dave Ptak stated because of the situation with a late bid, bid lettings will be held later in the day, to aid with timely delivery. 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.

(f) Moved by Jeniffer Beahm seconded by Paul Hamelink to award Contract No. HU 2020-01, IC-1 for Construction of Four Injection Wells (Phase III ASR Injection Wells and Water Collection System - B.I. 3.00) to Down Drilling, Lexington, Nebraska, in the amount of $434,966.00. Kevin Johnson, Utility Manager, reported this project will have two construction contracts associated with it. The next agenda item is the second contract. Request for Proposals were sent to multiple well drillers, general contractors, and suppliers. Bids were opened on January 21st. Utility Board has recommended approval, as well as staff. Dave Ptak noted the low bids were under the engineer estimates on this and the next item. 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.

(g) Moved by Paul Hamelink seconded by Scott Snell to award Contract No. HU 2020-01, IC-2 for Construction of Water Mains to Serve Injection Wells (Phase III ASR Injection Wells and Water Collection System - B.I. 3.00) to Van Kirk Brothers of Sutton, Nebraska, in the amount of $1,091,285.34. Kevin Johnson reported this is for water mains to serve the injection wells. Request for Proposals were sent to multiple contractors and suppliers. 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.

(h) Moved by Scott Snell seconded by Ginny Skutnik to approve the Addendum Agreement with Hastings Keno, Inc. to continue its keno-type lottery at 1216 West "J" Street within the City of Hastings. Mike Nevervy stated the property was sold to local people. Hastings Keno will run the same as before. They are asking council to approve new owners as a sales outlet location. Mike Nerervy will lease from the new owners. 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.

(i) Moved by Chuck Rosenberg seconded by Matt Fong to approve bid from MacQueen Emergency Group, 1125 7th Street East, St. Paul, MN 55106 to purchase one (1) 2020 Pierce 110' Single Axle Aerial Platform for the Fire Department through a lease-purchase finance, at a price not to exceed $975,000 which is the base bid of $965,734 plus 1%.

Fire Chief Starling gave a presentation on the apparatus bids received. He gave a recommendation to council on the lease-purchase agreement. Fire Department will replace Ladder 1 and Engine 2. Sourcewell was used to locate vendors, instead of going out for bids. This project was graded based on criteria, weighted with percentages. There were three manufacturers, with MacQueen coming out as the recommended vendor. Brad stated the two units being replaced will be sold outright, or they will work with manufacturer to locate a buyer.

Moved by Butch Eley seconded by Scott Snell to amend the price to not exceed the base bid plus 2%. ($985,049) 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.

Vote on main motion as amended. 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.

(j) Moved by Matt Fong seconded by Chuck Rosenberg to approve Hastings Half Races to be held on May 30, 2020, along with routes, attached conditions, insurance and exhibits. Dave Ptak reported this is an annual event in our community. Item 5a is to give notice to Nebraska Department of Transportation, in order to allow the race to go across Highway 281. 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.

5. Ordinances and Resolutions.
(a) Moved by Matt Fong seconded by Paul Hamelink to approve Resolution No. 2020-14…approving the closure of a portion of US Highway 281 for the 2020 Half Hastings Race. 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.

(b) Moved by Butch Eley seconded by Chuck Rosenberg to approve Resolution No. 2020-7... approving 2021-2026 One and Six Year Street Improvement Plan. Dave Wacker, City Engineer, gave a presentation on the One and Six Year Plan. The plan summary is attached and made a part of these minutes. Last year LB82 repealed filing and submission due annually by March 1st. Public hearing must be held and certification filed with State of Nebraska by October 31st. The group discussed Quiet Zones, pertaining to potential closings of railroad crossings. A Quiet Crossings meeting will be held in the near future. 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.

(c) Moved by Scott Snell seconded by Matt Fong to approve Resolution No. 2020-15... adopting and approving the execution of an agreement with the Nebraska Department of Transportation for Project No. 6-4(1025), Control No. 42885 (US Highway 6 and Adams Central Avenue). Dave Wacker reported this project involves the roundabout on Highway 6. The bid letting is scheduled February 27th on this project. This provides an agreement to relocate Utilities, currently on state right-of-way. The start date target is April or early May. 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.

6. Final Passage of Ordinances.
None.

7. Appointments.
(a) Moved by Matt Fong seconded by Scott Snell to approve Mayor Stutte's recommended appointments, as follows:**Airport Advisory Board:** Matt Kuhr, 2-25-2020 to 2-1-2025, Reappointment; Phil Beda, 2-25-2020 to 2-1-2024, Replacement **City Planning Commission:** LaDaun Schoenhals, 2-25-2020 to 2-1-2023, Replacement; Michelle Lewis, 2-25-2020 to 2-1-2023, Replacement; Rakesh Srivastava, 2-25-2020 to 2-1-2023, Reappointment. 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.

8. Miscellaneous and Other Business.
None.

Moved by Butch Eley seconded by Paul Hamelink to go into closed session at 6:50 P.M. for reason of personnel. 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.

Moved by Matt Fong seconded by Ginny Skutnik to come out of closed session 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.

Moved by Ginny Skutnik seconded by Butch Eley there being no further business to adjourn 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.

APPROVED:

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Corey Stutte, Mayor

ATTEST:

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Kimberly S. Jacobitz, City Clerk

(S E A L)