

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, April 13, 2020

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted via video conference, on April 13, 2020, as allowed by the executive order issued from Governor Ricketts on March 17, 2020.

The meeting was called to order at 5:31 p.m. in Regular Session by Mayor Stutte with the following members present: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Absent: None.

The following City Officials were present: City Administrator, David Ptak; City Attorney, Clint Schukei; City Clerk, Kimberly Jacobitz; Asst. City Clerk, Lori Vorderstrasse; Fire Chief, Brad Starling; Finance Director, Roger Nash; City Engineer, David Wacker; Utility Manager, Kevin Johnson; IT Director, Kevin Schawang; Development Services Director, Lisa Parnell-Rowe; Engineering, Lee Vrooman.

Moved by Butch Eley seconded by Matt Fong to adopt current agenda for April 13, 2020 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 available online at www.cityofhastings.org.

COUNCIL COMMUNICATION:

None.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte asked citizens to stay home and work from home, if possible. Only go out as needed for necessities. We need to take time to flatten the curve of the pandemic.

He thanked all employees for their hard work over the past few weeks.

CONSENT AGENDA:

1. All Consent Items.

Moved by Matt Fong seconded by Scott Snell to remove items 'w' and 'x' and approve all other consent agenda items. 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 March 9, 2020

(b) Approval of the minutes of the Worksession of March 16, 2020

(c) Approval of claims and payroll (March 23, 2020)

(d) Approval of claims and payroll

(e) Approve receiving and placing on file department monthly reports (March 23, 2020)

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

(g) Approval of Work Order CO-159, North Denver Station lobby addition and drive-up window

(h) Approval of Work Order JO-486, new 4" and 2" PE gas main located in the southwest region of Hastings Regional Center to feed future equipment in maintenance building and lift station

(i) Approval of Work Order EL-112, relocation of overhead power line to underground and removal of transformer platforms at 317 South Elm Avenue for service to Pacha Soap

(j) Approval of Work Order EL-113, retirement of poles, wire, transformers, platforms and associated materials from construction job EL-112, Pacha Soap at 317 South Elm Avenue

- (k) Approval of Work Order EL-114, installation of single-phase underground electric line and padmount transformer to serve a new residence and shop building at 4842 West 12th Street
- (l) Approval of Invoice No. 1038 from South Central Economic Development District, Inc. in the amount of \$4950.00 for Community Development Block Grant Project 17-DTR-105
- (m) Approval of Invoice No. 1039 from South Central Economic Development District, Inc. in the amount of \$675.00 for Community Development Block Grant Project 18-ED-003
- (n) Approval of the request for Community Development Block Grant funds, Drawdown No. 3, in the amount of \$675.00 for SHABRI Project 18-ED-003
- (o) Approval of the request for Community Development Block Grant funds, Drawdown No. 7, in the amount of \$4950.00 for Project 17-DTR-105
- (p) Approval of Work Order WA-360, construction of ASR Phase III injection wells and water mains
- (q) Approval of an agreement terminating an agreement providing for a fence encroachment onto city property adjacent to 923 N. Hastings
- (r) Approval of the manager application of Brandy L. Archer in connection with the Class "IK" Liquor License of BPOE Lodge 159 dba "Hastings Elks Lodge" located at 3050 E. South Street
- (s) Approval of Invoice No. 347373 from Olsson in the amount of \$4240.40 for Community Development Block Grant Project 18-PP-003, Hastings Universal Mobility Study Planning Grant
- (t) Approval of the request for Community Development Block Grant funds, Drawdown #9, in the amount of \$3143.61 for 18-PP-003
- (u) Approval of Invoice No. 1048 from South Central Economic Development District, Inc. in the amount of \$800 for Community Development Block Grant Project 18-PP-003, Hastings Universal Mobility Study Planning Grant
- (v) Approval of the request for Community Development Block Grant funds, Drawdown #8, in the amount of \$800 for 18-PP-003
- (w) Approval of invoice from Carmichael Construction in amount of \$16,500 for Community Development Block Grant Project 17-DTR-105, Hastings Downtown Revitalization
- (x) Approval of the request for Community Development Block Grant funds, Drawdown #8, in the amount of \$12,193.50 for 17-DTR-105
- (y) Approval of Work Order WA-380, new 12" water main on 42nd Street and Wendell Drive to Baltimore Avenue
- (z) Approval of Work Order SW-347, new 24" sanitary sewer main to serve on 42nd Street from Wendell Drive to Baltimore Avenue

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.
None.

3. Public Hearings.

(a) Public hearing on the application of Hastings Lodging 2, LLC dba "Hampton Inn & Suites" for a Class "C" Liquor License at 215 E. 31st Street. Dave Ptak stated Police and Inspection Departments found nothing to prohibit the issuance of this license. No public spoke. No objections were received.

Moved by Ginny Skutnik seconded by Jeniffer Beahm to approve Resolution No. 2020-12 approving the application of Hastings Lodging 2, LLC dba "Hampton Inn & Suites" for a Class "C" Liquor License at 215 E. 31st 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 Scott Snell to approve the manager application of Mike A. Works in connection with the Class "C" Liquor License of Hastings Lodging 2, LLC dba "Hampton Inn & Suites" located at 215 E. 31st 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.

(c) Public hearing on the request of the City of Hastings Development Services Department to amend City Code Chapter 34, Section 34-215, P.D. Planned District Regulations. Lisa Parnell-Rowe reported on the zone text amendment. No public spoke. No objections were received.

ORDINANCE NO. 4630 AMENDING SECTION 34-215, P.D. PLANNED DISTRICT REGULATIONS

Said Ordinance was read by title and thereafter Councilmember Chuck Rosenberg moved for passage of the ordinance, which motion was seconded by Councilmember Butch Eley.

The Mayor then stated the question "Shall Ordinance No. 4630 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 Scott Snell 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, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. 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 April 17, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(d) Public hearing on the request of the City of Hastings Development Services Department to amend City Code Chapter 34, Section 34-311 and Table 311-1: Residential Accessory Structures. Lisa Parnell-Rowe reported this item is a text amendment. This would remove the words 'principal structure, matching the materials'. No public spoke. No objections were given.

ORDINANCE NO. 4629 AMENDING SECTION 34-311, ACCESSORY USES AND STRUCTURES, REQUIREMENTS FOR ACCESSORY BUILDING OVER 864 SQUARE FEET IN CERTAIN RESIDENTIAL DISTRICTS

Said Ordinance was read by title and thereafter Councilmember Jeniffer Beahm moved for passage of the ordinance, which motion was seconded by Councilmember Ted Schroeder.

The Mayor then stated the question "Shall Ordinance No. 4629 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 Scott Snell 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, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. 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 April 17, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

4. General Business.

(a) Moved by Matt Fong seconded by Jeniffer Beahm to approve agreement with South Central Economic Development District, Inc. for professional services for Community Development Block Grant Brant 19-DTR-103. Clint Schukei reported this is related to the most recent block grant façade improvement downtown and is the mechanism used in prior grants. 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 Scott Snell seconded by Ted Schroeder to approve Memorandum of Understanding granting permission for Hastings Rural Fire to perform grading and construction prior to approval of preliminary and final plat for Hastings Rural Fire Subdivision. Lisa Parnell-Rowe reported on the item, which gives special permission to allow for grading of streets or construction. These are things we would normally not do before the final plat, but is allowable. 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.

(c) Moved by Matt Fong seconded by Ginny Skutnik to ratify and approve award of Contract for Renovation of the North Denver Station Administrative Building to Farris Construction, Hastings, Nebraska, in the amount of \$480,563.00 and to approve the companion Work Order CO-159. Kevin Johnson reported this bid includes remodel of the existing business office area and lobby area for customers. There were no exceptions to the bid. Staff recommends all four alternative bids be added into the project. 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 Chuck Rosenberg seconded by Matt Fong to award contract for Residential Resurfacing for Projects R-2020 R1 thru R4, inclusive to Vontz Paving, 2355 West Highway 6, Hastings, Nebraska 68901 in the amount of \$945,515.83 and authorize the Mayor and City Clerk to execute contract documents. Dave Wacker reported this bid represents four residential street improvement projects. Bids were opened March 30th, with bids received from Werner Construction and Vontz Paving. Funding for this project will come from city sales tax revenue. 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 Matt Fong to award contract for Arterial Resurfacing Projects R-2020 A1 through A3, inclusive to Vontz Paving, 2355 West Highway 6, Hastings, Nebraska 68901 in the amount of \$991,184.90 and authorize the Mayor and City Clerk to execute contract documents. Dave Wacker reported this bid represents three arterial street improvement projects. Bid opening was held March 30th. We received bids from Werner Construction and Vontz Paving. Funding will come from the city sales tax fund.

(f) Moved by Butch Eley seconded by Chuck Rosenberg to award contract for Project No. M-330 (93) 42nd Street 1300' west of US Hwy 281 to Baltimore Avenue to Werner Construction, Inc., 129 East 2nd Street, Hastings, Nebraska in the amount of \$2,778,360.89 and authorize the Mayor and City Clerk to execute said contract documents. Dave Wacker reported on the project. Bid letting was held March 30th. One bid was received from Werner Construction. The City has worked with County over the last 15 years. Funding is through the Street fund (highway allocation and wheel tax), utility department (sewer and water), and Adams County interlocal agreement. 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.

(g) Moved by Ginny Skutnik seconded by Butch Eley to approve audit proposal for the City of Hastings and Hastings Utilities submitted by Almquist, Maltzahn, Galloway & Luth P.C. Roger Nash reported the Novak Study recommended we go out for proposals every three years. We received one proposal. This proposal is for 2020, 2021, and 2022 budget years. 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.

(h) Moved by Matt Fong seconded by Scott Snell to approve and ratify the Memorandum of Understanding with South Heartland District Health District (SHDHD) to provide for control over communicable diseases, illness, and poisoning within the City of Hastings. Dave Ptak reported South Heartland District Health Department is in charge of a four county area involving Adams, Clay, Nuckolls, and Webster. They do not have jurisdiction within city or village corporate limits. This would allow SHDHD to be able to issue its directed health measures inside city limits. 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) Moved by Ginny Skutnik seconded by Scott Snell to approve Resolution No. 2020-18 authorizing the Mayor, City Administrator and Airport Manager to sign documents relating to the City of Hastings property utilized in the operation of the Hastings Airport on behalf of the City of Hastings. Dave Ptak reported this is a requirement from the Federal Aviation Administration (FAA). 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 Chuck Rosenberg seconded by Butch Eley to approve Resolution No. 2020-19 approving Call for early redemption and payment of \$2,697,351.32 principal and interest on Combined Utility Revenue Bonds, Series 2006. Roger Nash reported this is an item we worked on with utilities, our financial advisor, and bond counsel. The decision was made to call the 2006 bonds, pay them off, and not refund them. We will let the 2012 bonds remain as is until they are available for call in 2022. 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.

(c) Moved by Jeniffer Beahm seconded by Matt Fong to approve Resolution No. 2020-20 approval of agreement with Nebraska Department of Transportation (NDOT) for Project NH-6-4 (129) C.N. 42788 US-6 and US-34 in Hastings. (US-6, Baltimore to Elm and Burlington, J Street to South Street) . Dave Wacker reported on this item. This project will involve the complete replacement of pavement section on U.S. Highway 6 (Baltimore to Elm) and surface grinding J Street up to South Street. There will be upgrades to ADA ramps. Construction is expected to begin as early as March 2021. 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) ORDINANCE NO. 4631 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC SAFETY TAX ANTICIPATION BONDS, SERIES 2020

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.

Roger Nash reported this would fund financing for the new fire truck. The city looked at options of lease-purchase and issuing public safety bonds.

The Mayor then stated the question "Shall Ordinance No. 4631 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 Jeniffer Beahm moved that the statutory rule requiring reading on three different days be suspended; Councilmember Scott Snell seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. 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 April 17, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

6. Final Passage of Ordinances.

None.

7. Appointments.

(a) Moved by Scott Snell seconded by Ginny Skutnik to approve Mayor Stutte's recommended appointments as follows:

Board of Health: Dr. Mackenzie J. Hemje and Dave Ptak

Board of Appeals: Rick Klamm 4-13-2020 to 4-1-2025; Brad Hamburger 4-13-2020 to 4-1-2025

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.

8. Miscellaneous and Other Business.

None.

Moved by Matt Fong seconded by Ginny Skutnik there being no further business to adjourn at 6:24 P.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:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)