CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Tuesday, May 26, 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 May 26, 2020, as allowed by the executive order issued from Governor Ricketts on March 17, 2020.

The meeting was called to order at 5:30 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. Absent: Jeniffer Beahm.

The following City Officials were present: City Administrator, David Ptak; City Attorney, Clint Schukei; City Clerk, Kimberly Jacobitz; Asst. City Clerk, Lori Vorderstrasse; Police Chief, Adam Story; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; Utility Manager, Kevin Johnson; IT Director, Kevin Schawang; Development Services Director, Lisa Parnell-Rowe; Interim City Engineer, Lee Vrooman; Airport Manager, Deb Bergmann; Purchasing, Rick Herrington.

Moved by Butch Eley seconded by Ginny Skutnik to adopt current agenda for May 26, 2020 Regular Meeting. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, May 22, 2020. 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 can be found on the City of Hastings website, cityofhastings.org.

COUNCIL COMMUNICATION:
Councilmember Rosenberg thanked John Brown and his cemetery staff for the great job done in preparation for Memorial Day.

Councilmember Fong thanked Hastings Economic Development Corporation (HEDC) and Hastings Chamber of Commerce for their recent program supporting local businesses.

CITIZEN COMMUNICATIONS:
None.

MAYOR'S COMMUNICATIONS:
Mayor Stutte thanked Hastings Economic Development Corporation (HEDC) and Hastings Chamber of Commerce for doing great things for local retail and restaurant businesses.

He updated where we are on State of Nebraska Direct Health Measures (DHM's). He encouraged all to continue to social distance and wear a mask when in close proximity to other people. We continue to look at what will be affected: July 4th events, firework stands, pools, parks, and many other events. Current DHM's run through the end of June. We will continue to monitor what is happening. DHM's come from the state level, not the city. We can be more restrictive than the DHM's, but cannot be less restrictive in our community.

CONSENT AGENDA:
Moved by Ginny Skutnik seconded by Matt Fong to approve the consent agenda, as presented. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

1. All Consent Items.
(a) Approval of the minutes of the Council Meeting of May 11, 2020
(b) Approval of the minutes of the Worksession of May 4, 2020
(c) Approval of claims and payroll
(d) Approve receiving and placing on file department monthly reports
(e) Approval of Work Order SW-349, relining of 25 manholes
(f) Approval of Work Order PL-608, new security gate system for Whelan Energy Center
(g) Approval of Work Order SW-346, new sanitary sewer main to serve Pioneer Trail Flats 2nd Subdivision and Trail Ridge Addition
(h) Approval of Work Order WA-379, new water main to serve Pioneer Trail Flats 2nd Subdivision and Trail Ridge Addition
(i) Approval of Work Order EL-115, installation of new underground electrical, padmount and transformers to serve Lakeview 6th Addition
(j) Receive and place on file Adams County Clerk's abstract of votes cast at the election held May 12, 2020
(k) Approval of invoice from Brant Rentals in the amount of $85,000.00 for work completed to date on Community Development Block Grant Project 17-DTR-105, Downtown Revitalization
(l) Approval of the request for Community Development Block Grant funds, Drawdown #9, in the amount of $62,815.00 for Community Development Block Grant Project 17-DTR-105, Downtown Revitalization

REGULAR AGENDA:
2. Unfinished Business of Preceding Meeting.
None.

3. Public Hearings.
(a) Public hearing on the application of Restaurant Management Services, LLC dba "Hastings Keno Sports Bar and Grill" for a Class "C" Liquor License at 1216 W. "J" Street. Adam Story reported staff recommends approval. No public spoke. No objections were received.

Moved by Scott Snell seconded by Ginny Skutnik to approve Resolution No. 2020-30 approving the application of Restaurant Management Services, LLC dba "Hastings Keno Sports Bar and Grill" for a Class "C" Liquor License at 1216 W. "J" Street. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

(b) Moved by Ginny Skutnik seconded by Chuck Rosenberg to approve the manager application of Eron W. Baker in connection with the Class "C" Liquor License of Restaurant Management Services, LLC dba "Hastings Keno Sports Bar and Grill" located at 1216 W. "J" Street. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

4. General Business.
(a) Moved by Matt Fong seconded by Ginny Skutnik to approve award contract for a Comprehensive Transportation and Parking Plan to Kimley-Horn. Lisa Parnell-Rowe reported the city received two responses to the Request for Qualification for the Comprehensive Transportation and Parking Plan. Responses were received from Olsson Associates and Kimley-Horn and interviews were completed. Kimley-Horn was less expensive and provided a work plan that best fits our overall needs and objectives. Councilmember Rosenberg stated we need a transportation study and comprehensive plan. He was concerned with this plan being funded with contingency funds. He prefers to budget this item this fall. Dave Ptak reported the city has $17 million cash balance, with $1.6 million in general obligation debt. This plan was not budgeted in the 2019-20 budget. We have Quiet Crossing, North Park Commons, one-way streets, and the viaduct issue. This plan would help give us some direction on how we deal with north-south and east-west traffic loads and how to move traffic through our community in an organized way. We have parking conflicts downtown with customers versus those who live downtown.

Kimley-Horn will be a fresh set of eyes on the situation. Public participation is an important part of the plan. We are in good shape to use contingency funds. Contingency funds are for necessary and timely items, not only emergencies. Our current budget includes $100,000 for a new Comprehensive Plan. Mayor Stutte thanked staff for work on interviews. We want to plan for our future. It is important to move things forward, not wait four months for the new budget. Roll Call: Ayes: Matt Fong, Paul Hamelink, Ted Schroeder, Ginny Skutnik, Corey Stutte. Nays: Chuck Rosenberg, Scott Snell, Butch Eley. Absent: Jeniffer Beahm. The motion carried.

(b) Moved by Scott Snell seconded by Butch Eley to approve the Assignment and Assumption of the Coal Purchase Agreement, the Refined Coal Sales Agreement, and the Ground Lease Agreement from RCF2, LLC to Hastings Refined Coal, LLC. Kevin Johnson reported on the summary written by Keith Leonhardt, which depicts the history of the refined coal agreements and also the reason for the change from the old company to the new company. This is a process that helps us reduce mercury emissions at Whelan Energy Center. This provides both the city and PPGA a revenue resource and a cost reduction to chemicals needing to be applied to reduce mercury emissions. It is an economic opportunity and benefit to the City of Hastings. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

5. <u>Ordinances and Resolutions.</u>
(a) ORDINANCE NO. 4626 AMENDING SECTION 3-304(2)(A) OF THE OFFICIAL CITY CODE TO PROVIDE FOR THE ELIGIBILITY LIST FOR A POSITION SUBJECT TO THE CIVIL SERVICE ACT TO REMAIN IN EFFECT FOR TWELVE MONTHS

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

The Mayor then stated the question “Shall Ordinance No. 4626 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. Nays: None. Absent: Jeniffer Beahm. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Chuck Rosenberg 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. Nays: None. Absent: Jeniffer Beahm. 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 May 29, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(b) Moved by Ginny Skutnik seconded by Matt Fong to approve Resolution No. 2020-31 adopting and approving the execution of an agency agreement with the Nebraska Department of Aeronautics for Project No. 3-31-0040-17-2020, engineering design phase of a snow removal equipment building. Deb Bergmann reported this resolution is required by State Statute for the Nebraska Department of Aeronautics to act as our agent with the Federal Aviation Administration and complete necessary paperwork associated with the grant. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

(c) Moved by Matt Fong seconded by Chuck Rosenberg to approve Resolution No. 2020-32 adopting and approving the execution of an Agency Agreement with the Nebraska Department of Aeronautics for Project No. 3-31-0040-16-2020, the engineering design phase of a snow removal equipment building. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

6. Final Passage of Ordinances.
None.

7. Appointments.
None.

8. Miscellaneous and Other Business.
None.

Moved by Butch Eley seconded by Ginny Skutnik there being no further business to adjourn at 5:57 P.M. Roll Call: Ayes: Matt Fong, Paul Hamelink, Chuck Rosenberg, Scott Snell, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. 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)