

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, November 23, 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 November 23, 2020.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Jeniffer Beahm, Ginny Skutnik, Ted Schroeder, Butch Eley, Scott Snell, Chuck Rosenberg, Paul Hamelink, Matt Fong. Absent: None.

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; Utility Manager, Kevin Johnson; Information Technology, Erik Nielsen.

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 November 23, 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.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, November 20, 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 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 reported on the Airport Advisory Board meeting. They are working with a provider for aircraft maintenance, to bring fulltime aircraft maintenance onsite.

CITIZEN COMMUNICATIONS:

Speaking in support on the mask mandate: Michele Bever-South Heartland District Health Department, 606 North Minnesota; Doctor Abel Luksan-Mary Lanning Healthcare, 715 North St. Joseph; Doctor Jessica Meeske, 731 West 2nd; Valerie Bower, 818 N Briggs; Andrew McCarty, 827 North Briggs; Craig Kautz, 1509 Pershing; Ben Welsch, 1120 North Colorado; Maggie Rogers, 710 North Turner; Reverend Greg Allen-Pickett, 621 North Lincoln; Doctor Daniel Leonard, 12925 West Kenesaw; Jessica Palace, 914 North St. Joseph; Caiden Holen-Polik, 818 North Lincoln; Andy Adams, 2521 Boyce; Linnea Howie, 1608 Crestmoor; Sarah Henry, 318 Ringland

Speaking against the mask mandate: Brandon White, 924 N Hastings; Doug Ruhter, 1825 Home; Kim Roth, 134 E 4th; Dave Roth, 134 E 4th; Francis Kulman, 221 East D; Jordan Wenstengaard, Roseland; Brian Young, 770 South Overland, Juniata; Eden Young, 1770 South Overland, Juniata; Robert Lemke, 1016 North Hewett; Jane Stanley, 2521 West 7th; Tressa Nelson, 1303 Hillcrest, Juniata; Ben Schudel, 1912 West 6th; Teresa Varah, 1704 West 6th; Carlton Havins, 910 North Bowen, Juniata; Ashley Thom, 1001 Highland; Jeremy Thiel, 604 East C; Jaryn Elders, 1814 West 8th

Speaking either way on the mask mandate: Ashley Gerry, 525 N Hubbar, Minden;

City Clerk received sixteen letters in support of the mask mandate, none against.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked the community for their comments, both for and against the mask ordinance.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by Ted Schroeder to approve consent agenda, 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 November 9, 2020

(b) Approval of claims and payroll

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

(d) Approval of invoice No. 1112 from South Central Economic Development District in the amount of \$1,500.00 for administrative services on Community Development Block Grant Project 19-DTR-103

(e) Approval of the request for Community Development Block Grant funds, Drawdown #3, in the amount of \$1,500.00 for Community Development Block Grant Project 19-DTR-103, Downtown Revitalization

(f) Approval of invoice No. 1111 from South Central Economic Development District in the amount of \$5850.00 for administrative services on Community Development Block Grant Project 17-DTR-105

(g) Approval of the request for Community Development Block Grant funds, Drawdown #14, in the amount of \$5,850.00 for Community Development Block Grant Project 17-DTR-105, Downtown Revitalization

(h) Receive and place on file Adams County Clerk's abstract of votes cast at the election held November 3, 2020

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the Community Development Block Grant Program Project 18-ED-003, Shabri, LLC.

Dave Ptak reported this hearing is required by the Community Development Block Grant regulations at the end of a project. This is to take any public comment. No public spoke. No objections were received.

4. General Business.

(a) Moved by Ginny Skutnik seconded by Butch Eley to approve a contract extension on Community Development Block Grant Project 18-ED-003, Shabri, LLC, for a period of one year to December 20, 2021. Michael Krings, Hastings Economic Development Corporation, stated the agenda packet information hits on highlights. Due to issues, SHABRI was unable to meet some of the markers they needed for approval of the block grant. We are requesting an extension from the State of Nebraska for one year. 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 Paul Hamelink to award contract to Tennis Courts Unlimited, Inc. in the amount of \$57,250.00 for the conversion of two tennis courts into six pickleball courts at Carter Park. Jeff Hassenstab reported on the bid letting held October 27, 2020. The city received four bids. The project received a grant from Adams County Convention and Visitors Bureau in the amount of \$22,400. The remaining balance will be paid with the Parks and Rec Sales Tax. 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 Ted Schroeder to award contract for current production model or newer model 33,000 GVW Cab and Truck Chassis (2022 Freightliner M2 106) to Nebraska Truck Center, Inc. in the amount of \$58,180.00. Jack Newlun reported on the bid letting held October 29, 2020. This is a straight truck to be used at the tipping wall area at the landfill. The current equipment is nineteen years old and needs replaced. The city received four bids. He also reported on the hook system for the truck (next agenda item). The city received three bids for that equipment. 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 Ginny Skutnik seconded by Butch Eley to award contract for the Hydraulic Hook Assembly (2021 Palfinger HAD-250S) to Refuse Truck Sales in the amount of \$30,864.00.
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. 4649 TO AMEND CITY CODE SECTION 2-206 TO ALLOW FOR PROVIDING INSURANCE AS AN ALTERNATIVE TO THE BONDS FOR OFFICIALS REQUIRED BY STATE STATUTE AND CITY CODE

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.

Clint Schukei explained that this ordinance would allow us to use an option in the State Statute that says the city can provide insurance or bonds. We already bought the insurance. As we look at bonds for newly elected officials, this gives us the opportunity to use the insurance.

Council discussed if bonding gave credence to a person's trustworthiness. Clint Schukei stated insurance would cover the same incidents. Dave Ptak stated most insurance and bonding companies do background checks when they get an application. Using our insurance would save us money. The ordinance allows for either a bond or insurance.

The Mayor then stated the question "Shall Ordinance No. 4649 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 Butch Eley 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 November 27, 2020. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(b) ORDINANCE NO. 4650 DEALING WITH COVID-19 AND A FACE MASK POLICY FOR THE CITY OF HASTINGS

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

Dave Ptak reported this ordinance is a result of discussions with Kearney and Grand Island mayors, administrators, managers, health district officials, and medical communities. It is an indoor mask requirement and does not close any business. There is a sunset date of February 23, 2021. Things can change and we could rescind prior to that date. We need to flatten the curve. We are asking South Heartland District Health Department to provide a weekly report of metrics to measure what is going on in the community, to get a more holistic view of our progress. We will have an as needed discussion on the current status with the Board of Health. The Board of Health met last Friday and recommended the ordinance to the City Council. If we see an improvement to the point of rescinding or modifying the ordinance, the Board of Health would make a recommendation to the City Council. The City Council will then be in a position to act on that in the future. We have the authority to make that decision, pursuant to State Statute 16-238, which created the Board of Health.

Mayor Stutte stated we received many letters, emails, calls, and messages on this topic. He mentioned letters in support of the mask mandate from Hastings Local 675 Fire Union, South Heartland District Health Department, Mary Lanning Healthcare, Adams County Emergency Management, Hastings Public Schools, Hastings College, and United Way. What this comes down to is that we want to make sure the hospital has the capacity that is needed. We want to keep healthcare sufficiently staffed. We want to make sure our first responders are kept safe. Fire and Police have been hit hard. As of Friday, there were forty-eight city employees out on quarantine or testing positive. We have people traveling between the communities of Grand Island, Kearney, and Hastings. We have a priority to keep our schools and businesses open, and keep people healthy.

Fire Chief Brad Starling reported on current staffing levels. The Fire Department has five personnel in quarantine, which includes two who are symptomatic and are awaiting tests. We have one additional person who is in isolation, meaning they have tested positive for COVID-19. We are looking at 20% of our workforce unable to report to duty at this time, because of the COVID-19 pandemic.

Police Chief Adam Story reported there are three staff out with COVID-19 and one in quarantine because of family. We were given State DHM's, and currently have those which are classified as misdemeanors. Most of our enforcement action is through education or warnings. We want all to follow laws or rules that are given to them, without having to enforce.

Council discussed standardized signage for businesses. Dave Ptak stated we could push out a posting, with assistance from the Hastings Chamber, that could be used by local businesses. Mayor Stutte asked the Public Information Officer to put together frequently asked questions to post on the city's website, if the ordinance passes.

The business community has significant concerns about being closed again. The general consensus is that we need to act or we will be closed down very soon. Councilmembers discussed the number of calls and emails received on this topic. It is understood that a mask mandate will not stop COVID-19, but it is worth trying to slow down the spread. Keeping our community safe is a high priority. We are in a serious situation in our healthcare system. It warrants a temporary order for a positive change for our system.

The Mayor then stated the question "Shall Ordinance No. 4650 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 emergency 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 November 25, 2020. Effective date of the ordinance is 3 days from and after the date this ordinance is passed and approved.

6. Final Passage of Ordinances.
None.

7. Appointments.

(a) Moved by Ginny Skutnik seconded by Jeniffer Beahm to reappoint Eric Barber to the Museum Board. 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.

Dave Ptak thanked Police, Fire, City Clerk, and Assistant City Clerk for their extra work to make this evening go smoothly.

Moved by Ginny Skutnik seconded by Matt Fong there being no further business to adjourn at 7:46 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)