

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, February 22, 2021

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 22, 2021.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Ginny Skutnik, Joy Huffaker, Shawn Hartmann, Jeniffer Beahm, Chuck Rosenberg, Matt Fong. Absent: Butch Eley, 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; Utility Manager, Kevin Johnson; Information Technology Director, Erik Nielsen.

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

Moved by Ginny Skutnik seconded by Matt Fong to approve current agenda for February 22, 2021 Regular Meeting. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Butch Eley, Ted Schroeder. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, February 19, 2021. 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 Hartman passed along Adams County's gratitude to the city for allowing the use of the auditorium for social distancing while choosing jurors.

Councilmember Skutnik announced the Hastings Museum will go to Phase 2 hours starting Monday. This will give more hours for public to enjoy the museum.

CITIZEN COMMUNICATIONS:

Spoke in support of mask ordinance: Michele Bever(South Heartland District Health Dept.); Andrew McCarty, 827 N Briggs; Esther Allen-Pickett, 2730 S Hilltop Rd; Greg Allen-Pickett, 2730 S Hilltop Rd.; Allie Koth, 8960 Fremont St, Lincoln; Dr. Todd Pankratz, 731 W 2nd St; Chuck Neumann, 908 N Kansas. City Clerk received four communications in support of the mask ordinance. Spoke against mask ordinance: Brandon White, 924 N Hastings; Scott Voightmann, 801 N Hastings, Alton Jackson, 820 South Shore

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked staff who have worked at cleaning roads and keeping the lights on for citizens during the recent extreme cold and winter conditions.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by Matt Fong to approve all consent items, as presented. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Butch Eley, Ted Schroeder. The motion carried.

(a) Approval of the minutes of the Council Meeting of February 8, 2021

(b) Approval of claims and payroll

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

(d) Approval of Work Order EL-151, installation of new transformers on Marian Road north of US Highway 6

(e) Approval of Work Order EL-152, installation of primary electric meter for Bruckman Rubber

(f) Approval of Work Order EL-153, installation of two new decorative post top streetlights on Hastings Avenue north of 1st Street

(g) Approval of Work Order SW-352, demo of two RBC Bays for warehouse storage

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the application of Odyssey Hastings, LLC dba "Odyssey" for a Class "C" Liquor License at 621 W. 2nd Street. Police Chief Story reported the applications for Odyssey and James A. Hamburger were processed by the Police Department. Staff recommends approval. No public spoke. No objections were received.

Moved by Matt Fong seconded by Shawn Hartmann to approve Resolution No. 2021-03 approving the application of Odyssey Hastings, LLC dba "Odyssey" for a Class "C" Liquor License at 621 W. 2nd Street. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Butch Eley, Ted Schroeder. The motion carried.

(b) Moved by Ginny Skutnik seconded by Chuck Rosenberg to approve the manager application of James A. Hamburger in connection with the Class "C" Liquor License of Odyssey Hastings, LLC dba "Odyssey" located at 621 W. 2nd Street. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Butch Eley, Ted Schroeder. The motion carried.

4. General Business.

(a) Moved by Chuck Rosenberg seconded by Shawn Hartmann to approve Western Area Power Administration (WAPA), City of Hastings and Hastings Regional Center Contract Renewal No. 20-UGPR-72 for administrative services. Kevin Johnson reported this is a contract renewal with the Hastings Regional Center to provide administrative services for their WAPA allocation. Nothing has changed in the contract, besides it being extended to match the length of our current WAPA contract. It confirms with WAPA that we agree to handle the Regional Center's scheduling and wheeling of WAPA energy. The Regional Center agrees to allow us to act as their agent. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Butch Eley, Ted Schroeder. The motion carried.

5. Ordinances and Resolutions.

(a) EMERGENCY ORDINANCE NO. 4659 TO EXTEND THE PROVISIONS OF ORDINANCE NO. 4650 AND TO PROVIDE A NEW SUNSET DATE

Moved by Ginny Skutnik seconded by Matt Fong to adopt Emergency Ordinance No. 4659 on First Reading.

Moved by Ginny Skutnik seconded by Matt Fong to amend Section 2 of Ordinance No. 4659 to read as follows:

Sec. 2-1011 — Sunset Provision.

The requirements imposed by this Article shall:

1. Be suspended at such time that the 7-day rolling average of 8 or fewer cases per 100,000 population per day (equating to 2 or fewer cases per day in the City of Hastings) is maintained for two consecutive weeks,
2. Be reinstated at such time that the 7-day rolling average becomes greater than 8 cases per 100,000 population per day (equating to greater than 2 cases per day in the City of Hastings) for more than two consecutive weeks.
3. Terminate when the pandemic is declared to be over by the Center for Disease Control (CDC) by ordinance passed and approved by the City Council.

Dave Ptak stated that the amendment is consistent with the direction given by council at the worksession. City Clerk read a letter into the record from Adam Horn, MD, Chief Medical Officer, Mary Lanning Healthcare. Emails and calls were received by members of the council in support and opposition to the mask ordinance.

(Vote on Councilmember Skutnik's amendment.)

Roll Call: Ayes: Matt Fong, Ginny Skutnik, Jeniffer Beahm. Nays: Shawn Hartmann, Chuck Rosenberg, Joy Huffaker. Absent: Butch Eley, Ted Schroeder. The motion failed.

Moved by Chuck Rosenberg and seconded by Joy Huffaker to amend Section 2 of Ordinance No. 4659 to read as follows:

Sec. 2-1011 - Sunset Provision

The requirements imposed by this Article shall:

1. Expire and terminate at such time that the 7-day rolling average of 8 or fewer cases per 100,000 population per day maintained for two consecutive weeks or will terminate at 11:59 P.M. on March 23, 2021, unless otherwise extended by ordinance of the City Council.

(Vote on Councilmember Rosenberg's amendment.)

Roll Call: Ayes: Matt Fong, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Corey Stutte. Nays: Shawn Hartmann, Jeniffer Beahm Absent: Butch Eley, Ted Schroeder. The motion carried.

Dave Ptak explained that the mask ordinances are emergency ordinances and would be effective immediately after passage and publication. Availability of the vaccine was discussed. Michele Bever stated they are currently working on vaccinating age 65 and older. She expects availability of vaccines to increase in late March. A large percentage of vaccinations will take until later in the summer.

Vote on amended Emergency Ordinance No. 4659 on First Reading. Roll Call: Ayes: Matt Fong, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: Shawn Hartmann. Absent: Butch Eley, Ted Schroeder. The motion carried.

Moved by Ginny Skutnik seconded by Chuck Rosenberg to suspend the rules and adopt Emergency Ordinance No. 4659 on Second and Third Reading. Roll Call: Ayes: Matt Fong, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: Shawn Hartmann. Absent: Butch Eley, Ted Schroeder. The motion failed. The motion to suspend the rules must be adopted by three fourths vote of the Council, per statutory rule.

6. Final Passage of Ordinances.

None.

7. Appointments.

(a) Moved by Matt Fong seconded by Chuck Rosenberg to approve reappointment of Aaron Schardt to the Airport Advisory Board for the term of 2/1/2021-2/1/2025.

Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Butch Eley, Ted Schroeder. The motion carried.

8. Miscellaneous and Other Business.

None.

Moved by Ginny Skutnik seconded by Matt Fong there being no further business to adjourn at 6:21 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Butch Eley, Ted Schroeder. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)