

CITY OF HASTINGS, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
Monday, June 28, 2021

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Public Library, 314 North Denver Avenue, on June 28, 2021.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm, Ted Schroeder. 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; Finance Director, Roger Nash; Utility Manager, Kevin Johnson; Information Technology Director, Erik Nielsen; Development Services Director, Lisa Parnell-Rowe; Director of Engineering, Lee Vrooman; Human Resource Director, Lori Hartman; Environmental Engineer, Marty Stange.

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 the current agenda for June 28, 2021 Regular Meeting, minus Item 2(a). Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 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 Schroeder reported on the Airport Fly-In held June 19th and 20th. He thanked all volunteers, first responders, and pilots at the event.

**CITIZEN COMMUNICATIONS:**

None.

**MAYOR'S COMMUNICATIONS:**

Mayor Stutte thanked the Airport Advisory Board, Airport Association, and city staff for the successful Fly-In event. A reminder that fireworks are on sale in Hastings. Please be safe and courteous.

**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, 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 June 14, 2021

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

(c) Approval of claims and payroll except the claim of Eldon's Automotive Repair

**REGULAR AGENDA:**

2. Unfinished Business of Preceding Meeting.

(a) Approval of expenditure not to exceed \$200,000 for the temporary move of City Hall employees to the North Denver Station of the Hastings Utility Department (*Tabled from June 14, 2021 Council Meeting.*)

This item was removed from the agenda.

### 3. Public Hearings.

None.

### 4. General Business.

(a) Approval of claim of Eldon's Automotive Repair in the amount of \$734.39 (City)

Joy Huffaker recused herself from the item, due to conflict of interest.

Moved by Butch Eley seconded by Shawn Hartmann to approve claim of Eldon's Automotive Repair in the amount of \$734.39. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Abstain: Joy Huffaker. Absent: None. The motion carried.

(b) Moved by Ginny Skutnik seconded by Matt Fong to approve Final plat for Mary Lanning 2nd Subdivision, for a parcel commonly located at 715 N. Saint Joseph Avenue, City of Hastings, Adams County, Nebraska. Lisa Parnell-Rowe reported that staff looked at this through Chapter 38. They looked at the infrastructure. A lot line was in the way, so they replatted to remove it and addressed the infrastructure. Planning Commission reviewed and recommended approval. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Moved by Ted Schroeder seconded by Joy Huffaker to approve agreement with Farris Construction Co., Inc. for 60x100 Substations Garage in the amount of \$620,416.00. Moved by Ginny Skutnik seconded by Butch Eley to amend the agreement with Farris Construction Co., Inc. for 60x100 Substations Garage to the amount of \$673,977. Kevin Johnson reported the Substations Garage has been deferred for a few years. The bids came back very high, which is noted in the engineering letter. The original budget was \$400,000. We will stretch the cost over two budget years. If council approves, we can spend some of the \$400,000 this budget year. We reduced the size of the garage and moved the location to the northwest part of North Denver Station. Material is increasing in cost. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motions carried.

(d) Moved by Ginny Skutnik seconded by Shawn Hartmann to table moving Hastings City Council meetings, Hastings City Planning Commission meetings, and Hastings Utility Advisory Board meetings from the Hastings Public Library to Hastings City Hall commencing with all meetings beginning in July 2021. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(e) Moved by Matt Fong seconded by Chuck Rosenberg to approve applying for \$727,000 of Community Development Block Grant (CDBG) Funds from the Nebraska Department of Economic Development to aid the expansion of Pacha Soap Co. in Hastings. Dave Ptak reported the manufacturing facility for Pacha Soap Co. is located on South Elm. They will add \$1.4 million in equipment, working capital, and new lines of product. The Non-Profit Development Organization (NDO) is Hastings Economic Development Corporation. This would be \$727,000 of CDBG funds, with \$720,000 being a loan amount, half that amount would be forgiven and half would be repaid back with 0% interest. It would then be defederalized through the NDO and could be used to loan to other businesses that wish to expand or come to Hastings. The extra \$7,000 is for South Central Economic Development District (SCEDD) to handle the administration. Agenda Item 5(e) is a resolution to authorize for SCEDD to put together documents. At least 51 percent of the jobs created (20-24 new positions), as required for the funds, have to be low-middle income to qualify. Pacha Soap Co. has two years to accomplish creating required jobs. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 Shawn Hartmann to approve Resolution 2021-28 ratifying all actions taken by the City Council at its Council Meeting held June 14, 2021. Dave Ptak reported this was prior to recognizing we moved to the library. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) ORDINANCE NO. 4670 AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$8,330,000 AGGREGATE PRINCIPAL AMOUNT OF COMBINED REVENUE REFUNDING BONDS OF THE CITY FOR THE PURPOSE OF PROVIDING FUNDS, TOGETHER WITH OTHER AVAILABLE FUNDS OF THE CITY, FOR THE PAYMENT AND REDEMPTION OF CERTAIN OUTSTANDING REVENUE BONDS PAYABLE FROM THE CITY'S GAS, SEWER, AND WATER UTILITIES

Dave Ptak reported this is something that will save the city a lot of money in interest. We must adopt the ordinance at least 30 days in advance of the closing date, per bond counsel requirement. Andy Forney, D.A. Davidson, can provide technical aspects of what we are doing. Andy stated we have been watching the interest rates. The current interest rate is 3.5%, and we will refinance at 1.3% freeing up debt service reserve fund and modernizing the covenants. The gross savings for the city is \$2.3 million. The net present value savings is almost \$800,000.

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

The Mayor then stated the question "Shall Ordinance No.4670 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 Ted Schroeder seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 July 2, 2021. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(c) ORDINANCE NO. 4671 TO AMEND ORDINANCE NO. 4514 ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON JULY 24, 2017, TO ADJUST INTEREST RATES AND FEES FOR AN OUTSTANDING PROMISSORY NOTE AND TO AMEND THE LOAN AGREEMENT WITH THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY, FORMERLY KNOWN AS THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEE PROJECT NO. C317930)

Dave Ptak reported this is related to financing for the Aquifer Storage and Restoration (ASR) project. We originally received a loan from Nebraska Department of Environmental Quality (NDEQ), but it is now Nebraska Department of Environment and Energy (NDEE). This would reduce the interest rate for the remaining term of the loan. Marty received a call last October offering a reduction in interest to 1% because of COVID issues. The savings is greater than \$100,000 for the city.

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

The Mayor then stated the question "Shall Ordinance No. 4671 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 July 2, 2021. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

#### (d) ORDINANCE NO. 4672 ADOPTING THE CITY OF HASTINGS' PURCHASING CODE

Clint Schukei reported this has been discussed at multiple council worksessions. We have tried to reflect bidding requirements of the State Statute together with our city requirements. We also tried to answer who signs documents.

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. 4672 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 Matt Fong seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, 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 July 2, 2021. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(e) Moved by Chuck Rosenberg seconded by Joy Huffaker to approve Resolution No. 2021-35 authorizing SCEDD to provide grant application assistance for a Community Development Block Grant for the Pacha Soap Co.'s proposed business expansion project. This is a companion item to 4(e). Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

6. Final Passage of Ordinances.  
None.

7. Appointments.

None.

8. Miscellaneous and Other Business.

None.

9. Closed Session

Moved by Butch Eley seconded by Ginny Skutnik to go into closed session for reason of personnel at 5:57 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Butch Eley seconded by Ted Schroeder to come out of closed session at 7:00 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Ginny Skutnik seconded by Shawn Hartmann there being no further business to adjourn at 7:00 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 )