

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, September 13, 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 N. Denver Avenue, on September 13, 2021.

The meeting was called to order at 7:20 p.m. in Regular Session by Mayor Stutte with the following members present: Matt Fong, Shawn Hartmann, Butch Eley, Chuck Rosenberg, Joy Huffaker, Jeniffer Beahm, Ginny Skutnik, 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; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson.

Moved by Butch Eley seconded by Shawn Hartmann to adopt current agenda for September 13, 2021 Regular Meeting. 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.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, September 10, 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 available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and is accessible to members of the public.

COUNCIL COMMUNICATION:

Councilmember Fong stated it is important to listen to public comments, as done at the budget meeting tonight. It is disheartening to hear inflammatory comments about our mayor, council, and staff. We do have contentious issues, but it does not mean we are trying to be malicious about decisions. We are people trying to make the best decisions with factual information that has been provided to us. It was disheartening, that after the public comment section was over, all people left. It is unfortunate that only one side of information that was presented and shared with citizens was heard. He will continue to listen and respond to citizens.

Councilmember Rosenberg stated a comment was made on accessibility to council members. He continues to make himself available to citizens. Joy Huffaker and Chuck Rosenberg visited Crossroads and things are running better, since neighborhood concerns last year.

Councilmember Schroeder stated it is disheartening being told to prepare yourself to be voted out. Elected officials put themselves out there to serve the public and work for the good of the city.

Councilmember Skutnik reported the Museum Board met last week, but did not have a quorum. The Museum's main entrance is under construction, so please enter through the north door of the museum.

CITIZEN COMMUNICATIONS

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte recognized service anniversaries for Kellie Bate, Library, 5; Donald Hachtel, Police, 5; Corby Kennedy, Landfill, 5; Deborah Molzen, Dispatcher, 20.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by Jeniffer Beahm 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 August 23, 2021
- (b) Approval of the minutes of the Worksession of August 16, 2021
- (c) Approval of claims and payroll except the claim of Eldon's Automotive Repair
- (d) Approve receiving and placing on file department monthly reports
- (e) Approval of the request of Pacha Soap Co. to utilize the city streets for Rock N' Shop - Pacha Soap Co. Block Party on September 18, 2021
- (f) Approval of the request of No Coast Brewing, LLC dba First Street Brewing Company for a Special Designated License for the Rock N' Shop - Pacha Soap Co. Block Party on Hastings Avenue between 1st Street and 2nd Street on September 18, 2021
- (g) Approval of the request of Art Bar, LLC dba Art Bar for a Special Designated License for the Rock N' Shop - Pacha Soap Co. Block Party on Hastings Avenue between 1st Street and 2nd Street on September 18, 2021
- (h) Approval of Work Order EL-172, installation of a single phase electric line to serve a new residence south of DLD Road, west of Republican Avenue
- (i) Approval of Work Order EL-173, installation of three phase underground electric line, padmount transformer and secondary junction box to serve Autumn Park Apartments
- (j) Approval of Work Order EL-177, installation of three phase underground electric line and padmount transformer to serve the Adams County Courthouse
- (k) Approval of manager application of Kinsey A. Bosselman in connection with the Class "D" Liquor License of Bosselman Pump & Pantry Inc. located at 1630 East South Street
- (l) Approval of the request of Church Women United to utilize the city streets for the Hastings Area CROP Walk for Hunger on October 10, 2021
- (m) Approval of the request of LifeLight/Collision to utilize the city streets for the LifeLight Festival on September 19, 2021

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

None.

4. General Business.

(a) Moved by Ted Schroeder seconded by Jeniffer Beahm to approve a claim for Eldon's Automotive Repair in the amount of \$1,413.37 (City). 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. Joy Huffaker recused herself, because of Conflict of Interest.

(b) Moved by Matt Fong seconded by Shawn Hartmann to approve the award of the Solid Waste Concrete Drive and Parking Agreement to Ben Engel Construction in the amount of \$99,550.27. Lee Vrooman spoke on this item. This will replace the existing asphalt drive into the Solid Waste facility. 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 Ginny Skutnik seconded by Butch Eley to approve that the Mayor be authorized to execute those documents necessary to obtain and maintain a letter of credit from Five Points Bank of Hastings in the amount of \$2,784,460 to satisfy the Performance Guarantee obligations related to the Hastings Groundwater Contamination Site. Dave Ptak stated the letter of credit must be done annually, as a requirement from the groundwater contamination site settlement with the Environmental Protection

Agency (EPA). He explained the only expense we have is the cost of the issuance of the letter of credit. 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.

(d) Moved by Matt Fong seconded by Shawn Hartmann to approve the Release of Easement shown on property at the northeast corner of Hwy 6 and Marian Road (Southwest Quarter of Section 14, Township 7 North, Range 10 West, Adams County, Nebraska). Lee Vrooman said that staff found one of the utility easements made in 1979 had the incorrect section and range listed. This is a cleanup item to release the easement. 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 Jeniffer Beahm seconded by Ginny Skutnik to approve the agreement with Mary Lanning Memorial Hospital Association for Medical Director and Ambulance services. Brad Starling spoke on this item. This agreement will replace the original one from 2012. The meat of the agreement remains the same, and complies with statutory requirements. 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) ORDINANCE NO. 4678 AMENDING HASTINGS' CITY CODE CHAPTER 8 - ALCOHOLIC BEVERAGES

Dave Ptak stated there was one major change within the ordinance. Fees were previously found in Chapter 8, but now we put those into the fee schedule, similar to other city fees.

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

The Mayor then stated the question "Shall Ordinance No. 4678 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 Jeniffer Beahm moved that the statutory rule requiring reading on three different days be suspended; Councilmember Shawn Hartmann 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 September 17, 2021. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(b) Moved by Butch Eley seconded by Matt Fong to approve Resolution No. 2021-48 approving Revision 2 in the updated Hastings Employee Handbook, due to the recent comparability study. Lori Hartman spoke on this item. This item is a result of a recent comparability study. It resulted in additional vacation and sick leave, based on comparability. 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.

The council thanked the Police, Fire, and Museum for their remembrance programs for 9/11.

Moved by Butch Eley seconded by Ginny Skutnik there being no further business to adjourn at 7:38 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:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)