

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, January 10, 2022

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 January 10, 2022.

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. Absent: 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; Development Services Director, Lisa Parnell-Rowe; Director of Engineering, Lee Vrooman; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson.

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

Moved by Butch Eley seconded by Chuck Rosenberg to remove Agenda Item 4h (Approval of Agreement with CMBA Architects for City Hall relocation to Utility North Denver Station, 1228 N. Denver Avenue) from the agenda and adopt current agenda for January 10, 2022 Regular Meeting.

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

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, January 7, 2022. 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:

None.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte recognized service anniversary years for Joshua Fink, Police 10; Todd Whitcomb, Utility, 30; Jason Henry, Fire, 10; William Mooney, Development Services, 5.

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, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(a) Approval of the minutes of the Council Meeting of December 13, 2021

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

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

(d) Approval of Work Order GA-358, replacement gas main on Highland Drive and Madden Road

(e) Approval of Work Order EL-193, installation of three-phase overhead transformer

(f) Approval of Work Order PL-616, railroad track lighting at Whelan Energy Center

- (g) Approval of Work Order EL-192, installation of a single-phase underground electric line and padmount transformers to serve expansion at 3302 Yost Avenue
- (h) Approval of Out of District Water and Sewer Connection Fees for 2022

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of the Community Redevelopment Authority regarding Redevelopment Plan Modification No. 2021-5 for Redevelopment Area # 13, Theatre Project, commonly addressed as 3207 W. 12th Street. Brian Hurskainen, City Planner, presented the Plan Modification for the theatre portion of the Theatre district. The Planning Commission approved this item at their December 21st meeting. Earth moving has begun on most of the property corner. Phase 1 of the project was slated to be mass grading and construction of the street, and also included a multi-family property with 78 dwelling units, a new commercial building, and exterior façade renovation and parking lots. The plans changed on phases of construction. The Phase 2 project of the Redevelopment of Theatre District pertains solely to Lot 5. The operator for the theatre facility will be the Golden Ticket Cinema, which also operates theatres in Scottsbluff, Kearney, and North Platte. Construction is expected to start by March 1st and should be operational this fall. The street has not been paved, but is planned to be done when weather breaks this spring. Speaker for: Tom Huston, 9200 Andermatt Drive, Ste. A, Lincoln. No objections were received.

Moved by Ginny Skutnik seconded by Chuck Rosenberg to approve Resolution 2022-01, approving Redevelopment Plan Modification No. 2021-5 to Redevelopment Area #13, Theatre Project, commonly addressed as 3207 West 12th Street. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(b) Public hearing on the request of Dennis Engel to bring Cimarron Meadows 12th Addition within the corporate limits of the City of Hastings. Lisa Parnell-Rowe presented addition to the city for Cimarron 12th Addition. She covered agenda items 3(b) and 3(c). Two areas, east and west of Fisherman Lane, will be pulled into the city with this plat. The plat portion will add 18 lots to be final platted. Nine of those lots will be to the east side of Fisherman Lane and should count towards state reporting as middle income homes. When we finalize the four lots on Badger Lane, Engel agreed to build that area out. Planning Commission reviewed and approved December 21, 2021. No public spoke. No objections were received.

Moved by Chuck Rosenberg seconded by Matt Fong to approve bringing Cimarron Meadows 12th Addition into the corporate limits of the City, which is being platted as Cimarron Meadows 12th Addition. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(c) Moved by Ginny Skutnik seconded by Shawn Hartmann to approve Final Plat for Cimarron Meadows 12th Addition. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

4. General Business.

(a) Moved by Butch Eley seconded by Chuck Rosenberg to approve claim of Eldon's Automotive Repair in the amount of \$1,000.65 (City) Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Abstain: Joy Huffaker. Absent: Ted Schroeder. The motion carried. Joy Huffaker abstained because of a conflict of interest.

(b) Moved by Ginny Skutnik seconded by Matt Fong to approve moving the City Council Worksession from Monday, January 17, 2022 to Tuesday, January 18, 2022 at 5:30 P.M. This meeting will be moved on account of the Martin Luther King Holiday. This meeting might be held in the Large Conference Room on 2nd floor of City Hall. The location will be posted. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(c) Moved by Matt Fong seconded by Ginny Skutnik to approve contract with South Central Economic Development District, Inc. (SCEDD) to provide general administrative services for Community Development Block Grant 21-DTR-007. Dave Ptak stated this is a typical agreement with SCEDD to do our block grant administration. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(d) Moved by Butch Eley seconded by Shawn Hartmann to approve an Extension Agreement for the current Interlocal Agreement for Ambulance Service between the County of Adams and the City of Hastings, dated December 7, 2021. Brad Starling spoke on this item. This is an extension of the agreement brought to the City Council last month. The county approved one month originally, so now we are extending eleven months to make it a full year. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(e) Moved by Jeniffer Beahm seconded by Matt Fong to approve an agreement with Ben Engel Construction, LLC for Rehabilitation and Construction of Sidewalks and Curb Ramps, Community Development Block Grant (CDBG) Project CH 2021-12 FC-14 in the amount of \$544,255.76. Lee Vrooman spoke on this item. The city opened bids on December 22, 2021. We received three bids, with Ben Engel Construction being the low bidder. This is the CDBG grant that will construct sidewalks within a four block radius of the city hall parking lot. The city will contribute a 25% match to the project. The project is expected to begin this spring and be completed this fall. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(f) Moved by Ginny Skutnik seconded by Butch Eley to approve an agreement with Van Kirk Sand And Gravel for Water Main and Service Replacement 2022 Project HU 2021-11 FC-30 in the amount of \$2,790,164.30. Lee Vrooman spoke on this item. This project was bid on December 22, 2021, with Van Kirk being the low bidder. The city received two bids. This award accounts for five out of eight of the water projects in this year's budget. Five of those projects include 8,000 feet of watermain and 198 services. Three of those included are a part of the new watermain replacement program. Van Kirk had one exception in their bid, as they cannot complete the project until June 2023. The second bidder also had that same exception, but their extended completion date was September 2023. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

(g) Moved by Butch Eley seconded by Chuck Rosenberg to approve an agreement with KT Heating & Air Conditioning for HVAC System at 3505 Yost Avenue Project HU 2021-12 FC-35 in the amount of \$118,500. Lee Vrooman spoke on this item. The bid letting was held on December 28, 2021. The city received two bids, with KT Heating & Air Conditioning being the low bidder. This modification will air condition and heat the shop area for the mechanic in the 3505 Yost Avenue building. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4686 AMENDING SECTION 32-402 OF THE OFFICIAL CITY CODE TO MODIFY MONTHLY BILLINGS FOR NATURAL GAS SERVICE AND RATES RELATING TO THE PURCHASE GAS ADJUSTMENT

Kevin Johnson spoke on this item. The modification to the ordinance is to update the city code to the current Purchase Gas Adjustment (PGA) rate calculation practices. Every year when the Utility Department evaluate rates, the PGA is also recalculated to get a baseline for summer and winter rates. That allows them to calculate the purchase gas part they need to understand and provide the load for the city. Utilities did the calculation and has been billing the new rates, but failed to get the language into the ordinance and rate structure.

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. 4686 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

Councilmember Ginny Skutnik 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, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. 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 January 14, 2022. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

6. Final Passage of Ordinances.

None.

7. Appointments.

None.

8. Miscellaneous and Other Business.

None.

9. Closed Session.

Moved by Ginny Skutnik seconded by Butch Eley to go into closed session for reason of personnel at 5:55 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

Moved by Ginny Skutnik seconded by Jeniffer Beahm to come out of closed session at 6:35 P.M.

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

Moved by Ginny Skutnik seconded by Butch Eley there being no further business to adjourn at 6:35 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: Ted Schroeder. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)