

**HASTINGS CITY COUNCIL  
WORKSESSION AGENDA**

**Council Chambers – City Hall  
220 North Hastings Avenue  
August 15, 2022  
5:30 PM**

**ROLL CALL:**

**PLEDGE OF ALLEGIANCE:**

**MOTION TO ADOPT CURRENT AGENDA** for August 15, 2022 Worksession.

**PUBLIC NOTICE** - Official Notice of the Worksession was published in the Hastings Tribune on Friday, August 12, 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 available. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

**DISCUSSION ITEMS**

1. Annual report from Hastings Area Chamber of Commerce.
2. Annual report from Hastings Economic Development Corp.
3. Discussion of proposed 2022-2023 City Budget and Utility Budget.

**ADJOURN:**

The Mayor and City Council reserve the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the Mayor and City Council to take up the items on the agenda in sequential order. However, the Mayor and City Council reserve the right to take up matters in a different order to accommodate the schedules of the city council members, person having items on the agenda, and the public.

Worksession meetings are intended to allow for communication and discussion amongst the elected officials. At the prerogative of the presiding officer of the worksession, city staff, consultants or citizens may be requested or allowed to address specific items on the worksession agenda.

**AGREEMENT**  
**BETWEEN THE CITY OF HASTINGS**  
**AND THE HASTINGS AREA CHAMBER OF COMMERCE**

This Agreement undertaken on this \_\_\_\_ day of \_\_\_\_\_, 2022 by and between the City of Hastings and the Hastings Area Chamber of Commerce, a Nebraska Nonprofit Corporation, hereinafter referred to as "Chamber".

WHEREAS, the City created the Hastings Utility Board by ordinance to make recommendations to the Mayor and City Council regarding the delivery of all utility services, including water, sanitary sewer, electricity, and natural gas, to residents, businesses and industries of the City of Hastings; and,

WHEREAS, the Hastings Area Chamber of Commerce, a not-for-profit corporation organized and existing under the statutes of the State of Nebraska, has been created for the purpose of promoting economic development and commercial activity in the City of Hastings and Adams County and for encouraging investment in the City of Hastings and Adams County and the businesses, industries and institutions located therein; and,

WHEREAS, Hastings Utility Department provides utility services to all ratepayers on the basis of the cost of producing and delivering each utility service and the cost of each service is reduced for all ratepayers by delivery of services to commercial businesses whose use of utility services is constant on a daily, monthly and annual basis; and,

WHEREAS, the Chamber has always promoted the growth of commercial activity in the City of Hastings and Adams County and has persuaded companies to locate new businesses in the City of Hastings and Adams County; and,

WHEREAS, through the promotion of commercial activity by the Chamber Hastings Utilities has increased its capacity to serve ratepayers and has reduced rates for utility services without the expense of creating and funding its own economic development office; and,

WHEREAS, it is in the interest of ratepayers and of the City of Hastings to continue support of economic development and of commercial activity through the Chamber; and,

WHEREAS, the City Council of the City of Hastings is authorized under the provisions of Neb. Rev. Stat. §13-315 to expend revenue received from any of its proprietary functions to promote economic development and to conduct a publicity campaign advertising commercial and other resources of the City; and,

WHEREAS, the Mayor and City Council of the City of Hastings are desirous of contributing, from the City's Utility Department, to Chamber \$30,000.00 for FY2022-23 in order

to promote economic development and to conduct a publicity campaign in accordance with the said statutory provisions;

NOW THEREFORE, in consideration of the foregoing recitals and of the continued benefit of the activity of the Chamber to the City of Hastings and to its ratepayers, the City of Hastings and the Hastings Area Chamber of Commerce hereby stipulate and agree:

1. The City shall invest \$30,000 with the Chamber for FY 2022-23 to be paid from the funds designated in Utility Department's FY 2022-23 budget for the benefit and support of the Chamber in promoting economic development and in conducting a publicity campaign in accordance with the provisions of Neb. Rev. Stat. §13-315 of the Revised Statutes for salaries, services and promotions;

2. That the Chamber shall continue to exercise its best efforts to promote the purposes for which it was created and to promote economic development and commercial activity in the City of Hastings and Adams County which will make regular use of services provided by the City's Utility Department;

3. That City shall continue to cooperate with the Chamber in the exchange of information which will attract qualified businesses and commercial activity to the City of Hastings and Adams County;

4. That the Chamber shall continue to develop commercial activities requiring services provided by the City's Utility Department;

5. That the Chamber shall provide annual reports to the Hastings Utility Board and Hastings City Council at a regular Council meeting concerning economic development and commercial activities in the City of Hastings and Adams County and concerning the use of the investment from the City Utility Department's funds in accordance with the provisions of Neb. Rev. Stat. §13-315 limiting such use to payment of salaries and services for promotion of economic development and publicity campaigns and shall provide such information prior to preparation of the annual budget of the City's Utility Department;

6. That the Chamber shall support legislative positions consistent with the interest of local businesses and the City;

7. That the Chamber in its presentations of the advantages and strengths of the City of Hastings and of Adams County shall promote the City as a supporter of the Chamber;

8. That the Chamber shall recommend to all residents and businesses located within areas served by the Chamber that the City's Utility Department provide them all utility services, including but not limited to water, sanitary sewer, electricity, and natural gas;

9. That during the duration of this Agreement the Chamber shall name to its Retail Oversight Committee two (2) members of the Utility Board designated by the Chairman of the Board and confirmed by the Mayor and City Council;

10. That the Mayor and City Council of the City of Hastings shall continue to support the efforts of the Chamber to promote economic development and commercial activity in the City of Hastings and in Adams County to achieve the goals of economic development and commercial activity.

Signed on this \_\_\_\_ day of \_\_\_\_\_,  
2022.

Hastings Area Chamber of Commerce, a  
Nebraska Nonprofit Corporation

By

\_\_\_\_\_  
Its President

Signed on this \_\_\_\_ day of \_\_\_\_\_,  
2022

City of Hastings, Nebraska, a Municipal  
Corporation

By

\_\_\_\_\_  
Corey Stutte, Mayor

Attest:

\_\_\_\_\_  
Kimberly S. Jacobitz, City Clerk

( S E A L )

Approved as to form:

*Clint Schukei*

\_\_\_\_\_  
Clint Schukei, City Attorney

**AGREEMENT  
BETWEEN  
THE CITY OF HASTINGS, NEBRASKA  
AND  
HASTINGS ECONOMIC DEVELOPMENT CORPORATION**

This agreement entered by and between the City of Hastings, Nebraska (City), and Hastings Economic Development Corporation, a Nebraska Nonprofit Corporation, hereinafter referred to as "HEDC".

WHEREAS, the City created the Hastings Utility Board by ordinance to make recommendations to the Mayor and City Council regarding the delivery of all utility services, including water, sanitary sewer, electricity, and natural gas, to residents, businesses and industries of the City of Hastings; and,

WHEREAS, Hastings Economic Development Corporation, a not-for-profit corporation organized and existing under the statutes of the State of Nebraska, has been created for the purpose of encouraging new residents to the City of Hastings and Adams County and for encouraging investment in the City of Hastings and Adams County and the businesses, industries and institutions located therein; and,

WHEREAS, the City's Utility Department provides utility services to all ratepayers on the basis of the cost of producing and delivering each utility service and the cost of each service is reduced for all ratepayers by delivery of services to large industrial ratepayers whose use of utilities services is constant on a daily, monthly and annual basis; and,

WHEREAS, since its creation in 1973, HEDC has successfully promoted the growth of business and industry already located in Hastings and Adams County and persuaded other companies to locate new businesses and industries in Hastings and Adams County which have become major consumers of utility services provided by Hastings Utilities; and,

WHEREAS, through the economic development promoted by HEDC, the City's Utility Department has increased its capacity to serve ratepayers and has reduced rates for utility services without the City creating and funding its own economic development office; and,

WHEREAS, by virtue of an agreement originally executed by the former Hastings Board of Public Works and HEDC on the 17<sup>th</sup> of September, 1987, the City of Hastings through the Hastings Utility Department has contributed regularly together with Adams County and many private companies and individuals to HEDC for the purpose of promoting the goals for which HEDC was created; and,

WHEREAS, it is beneficial to the ratepayers of the City, in addition to the historical recruitment efforts of HEDC, a continued special emphasis be placed on expanding, recruiting and securing new retail businesses, commercial enterprises, and industrial customers for the City of Hastings and Adams County; and,

HEDC AGREEMENT  
FY2022-23

WHEREAS, it is in the interest of ratepayers and the City of Hastings to continue support of economic development through HEDC by the Board's investment to the annual budget of HEDC for FY2022-23; and,

WHEREAS, the City Council of the City of Hastings is authorized under the provisions of Neb. Rev. Stat. §13-315 of the Revised Statutes of the State of Nebraska to expend revenue received from any of its proprietary functions to carry out the purposes for which HEDC was created through a local development corporation such as HEDC; and,

WHEREAS, the Mayor and City Council of the City of Hastings are desirous of contributing, from the City's Utility Department, to HEDC \$175,000 for FY2022-23 in order to promote economic development and to increase the benefit to the ratepayers of the presence, in Hastings and Adams County, of Hastings Utilities' major industrial, commercial, and retail customers;

NOW THEREFORE, in consideration of the above recitals and the continued benefit of the presence of HEDC to the City of Hastings, and Adams County, the City and HEDC hereby stipulate and agree that:

1. The City shall invest \$175,000 with HEDC for FY 2022-23 to be paid on a prorated basis monthly following approval of this agreement from the funds designated in Utility Department's FY2022-23 budget;
2. HEDC will continue to exercise its best effort to promote the purposes for which it was created and to solicit retail businesses, commercial enterprises and industrial consumers to locate businesses and plants in Hastings and Adams County, which will provide for and make constant the usage of services for the benefit of the City's ratepayers;
3. HEDC and the City shall continue to cooperate in exchange of information which will attract qualified businesses to Hastings and Adams County;
4. HEDC will continue to develop commercial areas which have major infrastructure capabilities currently available from the City's utility systems;
5. HEDC will provide annual updates, and as requested by the Utility Board and the City, detailing its economic development activities and the use of the annual investment from the City Utility Department, including the most recent Form 990 filed with the Internal Revenue Service, and will provide information prior to the City's annual budget sessions detailing HEDC's plan for the following year for employing the City's investment;
6. HEDC will support legislative positions consistent with the interests of local businesses including the City;

HEDC AGREEMENT

FY2022-23

7. HEDC, when discussing the strengths of the community and county with local interests plus prospective clients of HEDC, will emphasize the City as a good supporter of HEDC;
8. HEDC agrees that it will use its best efforts to assure that, for all areas developed by HEDC as titleholder, lessor or agent or in any other capacity of control, the City's Utility Department will be the provider of all utility services, including but not limited to water, sanitary sewer, electricity and natural gas, to all residents and businesses located in those areas which are or may be served by the City's utilities, including areas which are adjacent to the City of Hastings but may not at the present time be incorporated into its city limits, such as Industrial Park North and Industrial Park West;
9. By virtue of the City's investment herein the Hastings City Council shall be entitled to two (2) permanent voting members on the Executive Committee of the HEDC Board of Directors. The two members shall be one (1) member of the Hastings Utility Board or Utility Manager who is appointed by the Mayor and confirmed by the City Council; and one (1) member determined by the Mayor and City Council who shall be either the Mayor, a City Council Member, the City Administrator, or the City Attorney.

Signed on this \_\_\_\_ day of \_\_\_\_\_, 2022

Hastings Economic Development Corporation,  
a Nebraska Nonprofit Corporation

By \_\_\_\_\_  
Its President

Signed on this \_\_\_\_ day of \_\_\_\_\_, 2021

City of Hastings, Nebraska, a Municipal  
Corporation

By \_\_\_\_\_  
Corey Stutte, Mayor

Attest:

\_\_\_\_\_  
Kimberly S. Jacobitz, City Clerk

( S E A L )

Approved as to form:



\_\_\_\_\_  
Clint Schukei, City Attorney

Link to 2022-23 Proposed Budget can be found on the  
City of Hastings website: cityofhastings.org  
or click the link below

[LINK TO 2022-23 PROPOSED BUDGET](#)