

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, August 8, 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 August 8, 2022.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Butch Eley, Jeniffer Beahm, Ginny Skutnik, Ted Schroeder, Joy Huffaker, Chuck Rosenberg, Shawn Hartmann, Matt Fong. Absent: None.

The following City Officials were present: Interim City Administrator/Utility Manager, Kevin Johnson; City Attorney, Clint Schukei; City Clerk, Kimberly Jacobitz; Police Chief, Adam Story; Assistant Fire Chief, Troy Vorderstrasse; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; 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 Ted Schroeder to adopt current agenda for August 8, 2022 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, August 5, 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:

Councilmember Rosenberg thanked the Fire Rescue and Police for their work on National Night Out.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte made a Proclamation for August 30, 2022 as U.S. Heartland Global Leadership Day. Mayor Stutte specifically called out our Sister City: Ozu, Japan. Our community has a lot of international exposure, including students, businesses, and agricultural trade.

Mayor Stutte recognized service anniversaries for Ryan Martin, Parks & Recreation, 10; Benjamin Nissen, Utility, 5; Chase Boeselager, Fire, 5; Jesse Bartels, Police, 10; David Wicker, Parks, 10.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by Shawn Hartmann 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 July 25, 2022

(b) Approval of the minutes of the Worksession of July 18, 2022

(c) Approval of claims and payroll

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

- (e) Approval of the renewal of Liquor License Applications for the following **Class "C" Liquor Licenses** for the period of November 1, 2022 through October 31, 2023: 201 N. Lincoln Enterprises, LLC, 2nd Street Slammer, Inc., Adams County Ag. Society, BG Olive Saloon, LLC, B & R Stores, Inc. (2), Barrel Bar, Inc., Blue Fork Kitchen, LLC, Brique 1887, LLC, Budson, Inc., Bullseye's, Inc., Caribbean Bar & Grill, LLC, Disabled American Veterans, Eagles FO Hastings Aerie 592, Gabriel Sanchez, George J. Beckby, Halftime Lounge, LLC, Hallett, Inc., Hastings Hospitality, Inc., Hastings Lodging 2, LLC, Highland Operating Company, Jelsh Ventures, LLC, Kitty's Roadhouse, LLC, Meaning on the Journey, LLC, Miscues, LLC, Murphy's Wagon Wheel, Inc., Nebraska Softball Association, No Coast Brewing, LLC, Odyssey Hastings, LLC, Rivals Bar & Grill, LLC, RM Retail Services, LLC, Roadhouse Catering, LLC, Steeple Brewing Company, LLC, The Wandering Well, LLC, Valentinis, LLC, Virginia Wolz, Wanda's, LLC. **Catering Licenses** for the period of November 1, 2022 through October 31, 2023: 201 N. Enterprises, LLC, 2nd Street Slammer Inc., Adams County Ag. Society, Blue Fork Kitchen, LLC, Bullseye's Inc., Eagles FO Hastings Aerie 592, No Coast Brewing, LLC, Kitty's Roadhouse, LLC, Miscues, LLC, Murphy's Wagon Wheel, Inc., RM Retail Services, LLC, Steeple Brewing Company, LLC, The Wandering Well, LLC
- (f) Approval of the request of Hastings Public Schools to utilize city streets for the Hit the Ground Running event on September 1, 2022 (*Contingent upon receiving required insurance coverage.*)
- (g) Approval of the request of IdeaBank Marketing to utilize city streets for Rock the Block - IdeaBank 40th Anniversary event on September 22, 2022
- (h) Approval of the request of Steeple Brewing Company, LLC dba Steeple Brewing for a Special Designated License for Rock the Block - IdeaBank 40th Anniversary event on Hastings Avenue between 1st Street and 2nd Street on September 22, 2022
- (i) Approval of Pay Estimate #3 in the amount of \$27,258.04 from Ben Engel Construction for work completed from July 10, 2022 through July 23, 2022 on Community Development Block Grant Project 20-PW-004, Public Works
- (j) Approval of Work Order SW-362, install sewer service stubs on the west side of Laird Avenue between 14th Street and Apache Avenue
- (k) Approval of Work Order CO-182, removal of the loading dock ramp and bordering sidewalk at the warehouse and replacing it with flat concrete

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

None.

4. General Business.

(a) Moved by Matt Fong seconded by Shawn Hartmann to approve the purchase of a 2022 Tymco 600 Street Sweeper for the Street Department in the amount of \$343,602.84. Lee Vrooman reported that the Street Department has three street sweepers, but only two are operational. At one point this spring, all street sweepers were broken down, and parts were difficult to get. Street sweeping is an important part of the MS4 Stormwater Permit, keeping sediment and debris out of the storm sewer and water bodies. This purchase was priced through the Sourcewell program. This item would purchase a demo model and would be available to us in October 2022. This purchase was planned to be in the 2022-23 budget, but we would like to put a down payment on it as soon as possible. The Street Department has money in the 2021-22 budget for a dump truck with a plow, which will not be available until January 2023. We would like to utilize those funds for this equipment. 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) Moved by Ginny Skutnik seconded by Chuck Rosenberg to approve the agreement with RLR Associates, Inc. for the design of the Kool-Aid Exhibit in the amount of \$95,400.00. Teresa Kruetzer-Hodson reported on the item. This agreement is for a detailed design of the new Kool-Aid exhibit, as part of our overall second floor exhibit renovations. This package is an extension of the schematic designs

that we already have, but this will take one piece and build it out for a bid package to be used for bidding construction. We have worked with this company and they know the project. 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 Shawn Hartmann seconded by Ted Schroeder to approve the Addendum Agreement with Hastings Keno, Inc. to make Fraternal Order of Eagles #592, located at 107 North Denver Ave, as a new Sales Outlet Location for Hastings Keno, Inc. Clint Schukei stated this item was done at the request of Hastings Keno. It would expand their offerings. Mike Nervrivy spoke on the item. This will be the fifth location in Hastings and will bring a different demographic and should not compete with the other locations in Hastings. This is the largest number of outlets we have ever had. 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 Ginny Skutnik seconded by Matt Fong to approve the agreement with Ben Engel Construction for the City of Hastings Quiet Zone Project Phase I - CH 2022-02 in the amount of \$540,766.35. Lee Vrooman gave a brief summary. Quiet Zone consists of crossings from Lincoln to Elm Avenue. Tonight you are approving a construction contract for Pine and Hastings Avenue. They are currently working with Burlington Northern Santa Fe (BNSF) on construction agreements and easements for Lincoln and Denver Avenue. Engel will start construction in the spring of 2023. It is important to remember that Quiet Zone starts when construction is complete for all crossings. There will be a reduced number of parking stalls at some locations, in order to access the back of 1st Street buildings. We received three bids, with Ben Engel Construction as low bid. Mayor Stutte reminded everyone this was passed as part of the 1/2 cent sales tax back in 2017. 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 the agreement with Van Kirk Brothers Contracting for Sewer Improvement Area SW-362, HU 2022-38, Laird Avenue - 14th Street to Apache Avenue, for the amount of \$74,640.00. Lee Vrooman reported this project is to install sewer stubs on the west side of Laird. When that sewer main was initially put in, they did the stubs on the east side only. Before the city paves that section, the stubs need to be put in. 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.

(f) Presentation of 2022-2023 Annual City Budget including Utility Budget

Roger Nash presented the city's proposed 2022-23 budget. The Utility Department budget was not presented. Kevin Johnson will present the utility budget to the Utility Advisory Board this Thursday, prior to the City Council Worksession next Monday.

Roger explained that the 2022-23 budget was entered into the new ERP system. He mentioned that the budget will be available in a digital version for the first time, this year.

He gave a presentation of the 2021-2022 budget in review. General Fund: Projected Revenues at year end are increased by 2.9%, Projected Expenditures at year end are under budget by 4.2%, Transferred \$700,000 from general fund for viaduct demolition not in the original budget. Other Major Funds: Street, Museum, Landfill are all on target for budgeted revenues and under budget on expenditures. Sales Tax projects continue to make improvements around the city.

He explained that LB 644 requires that if a City increases their Property Tax Request by more than 2% plus growth, they are required to participate in a Joint Public Hearing and provide notice of the proposed tax increase on a postcard to all affected taxpayers. The County is responsible for organizing the hearing and sending out notices to taxpayers. We are anticipating that we will be required to participate in that hearing, because of increased valuations. The County Assessor did not feel comfortable with sending valuations over to us early, because of all the increased valuations. County will provide the new assessed valuation by August 20th.

He proceeded to the 2022-23 Proposed Budget presentation. General Fund Revenues are proposed to remain flat compared to FY22, based on no change to the tax levy and new valuation unknown. In-lieu of tax payment will decrease by \$1,000,000, (up last year due to February's weather event). Sales tax revenue up 7.2% through May. General Fund Expenditures for operations and maintenance proposed to increase 4/5% compared to FY22. Requested new Full Time Equivalents (FTE) and proposed 5% wage adjustment will result in an 11% increase in personnel costs over FY22. New FTEs are mainly in Police and Fire. ARPA funds will have a positive effect on the general fund budget. The self-insured health fund, high deductible HSA Health Insurance Plan, continues to benefit both employees and the city fund. FY24 and beyond, Highway 6 East project and potential city hall project are long-term items. He gave a breakdown of where real estate taxes go for Adams Central and Hastings Public School districts. Proposing tax levy of .4497 to remain the same for next year. We will dig deeper into the budget at next Monday night's Council Worksession.

5. Ordinances and Resolutions.

(a) Moved by Ginny Skutnik seconded by Butch Eley to approve Resolution No. 2022-23 authorizing discontinuance of the City of Hastings' Economic Development Re-Use Fund. Clint Schukei stated this is an action item from the public hearing held on July 25th, requested by the South Central Economic Development District. 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. 4710 REPEALING ORDINANCE 4706 AND CREATING STREET IMPROVEMENT DISTRICT NO. 2022-3, LAIRD AVENUE - 14TH STREET TO APACHE AVENUE

Lee Vrooman reported that a two-word error was found in the legal description, so this ordinance cleans this up. GAP paving does not allow remonstrance of property owners. Corner lots will be assessed for the district, per state statutes. Assessments are based on frontal footage.

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. 4710 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 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, Ted Schroeder, Ginny Skutnik, Jeniffer Beahm. Nays: Butch Eley. 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 August 12, 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.

Moved by Butch Eley seconded by Ted Schroeder there being no further business to adjourn at 6:13 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)