CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL WORKSESSION
Monday, September 19, 2022

Pursuant to due call and notice thereof, a Worksession 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 September 19, 2022.

The Worksession Meeting was called to order at 5:30 p.m. by Council President Ginny Skutnik with the following members present: Butch Eley, Matt Fong, Ted Schroeder, Chuck Rosenberg, Joy Huffaker, Shawn Hartmann. Absent: Jeniffer Beahm.

City Officials Present: Mayor Corey Stutte, Clint Schukei, Lori Vorderstrasse, Adam Story, Brad Starling, Erik Nielsen, Kevin Johnson, Roger Nash, Jeff Hassenstab, Lee Vrooman, Marty Stange, Tara Ogren, Lori Hartman,

Others Present: Alex Engel, Fisheries Biologist, Southwest District Nebraska Game and Parks Commission

Pledge of Allegiance.

Moved by Butch Eley seconded by Shawn Hartmann to adopt the current agenda for the September 19, 2022 City Council Worksession. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

Official Notice of the Worksession was published in the Hastings Tribune on Friday, September 16, 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 on the Fiscal Year 2022-23 proposed budget, including a report on the city's participation in the county-wide budget hearing and discussion of proposed tax request increase.

Roger Nash, Finance Director, touched on some of the budget items discussed at the budget worksession and an oversight item. He began with the City Administrator budget and wanted the Council to know that the Personnel Services line item included the full-time added position of safety director. He wanted to point out that increase in the line item. He reviewed with Council the Repair and Maintenance line item in the Airport Budget. He indicated the Council had asked that he look at one-time capital expenditures so he moved three Airport projects, LED lighting project, concrete floor repair project and a bathroom remodel in Hangar #1, to Capital Outlay. He indicated they had also discussed a Landfill reimbursement to the General Fund for EPA costs. He stated he was given the direction to at least put something in the budget as a place holder for future discussion, so $40,000.00 was placed in the line item. Mr. Nash reviewed with Council the property tax asking figures. He mentioned to Council that it has been a challenge for everyone involved with the budget due to LB644 and the change in timelines and getting everything done and getting the budget to the county and state by September 30th. Councilmember Fong asked for a review of changes affecting the budget process. Mr. Nash reviewed with Council changes brought about by LB644.

Mayor Stutte stated he wanted the Council to have the opportunity to review the levy and felt like they were in a better place now to look at the levy.

Mr. Nash reviewed with Council the Notice of Special Hearing to Set Final Tax Request and stated these were the figures for the budget as it stands now. He indicated the total Operating Budget is up 8%, there is a 7% increase in Property Tax Request, a 11% increase in Valuation and the tax rate is at a decrease of 3%. Mr. Nash reviewed the General Fund Summary with Council and indicated that the City is under the state statute requirement for cash reserve. He told Council they did need to keep in mind that in the last year they did have a couple one time revenues and there is not another source to replenish those.

He stated there is an increase in expenditures this year with an increase in full-time staff at an amount of $840,000.00 and that will affect the budget going forward. Mr. Nash did indicate too that he felt the City is in a real good position with the cash balance. He said the reason they are focusing on keeping the cash balance high is the Highway 6 Project that is still out there and he stated when that comes to fruition, the City will be responsible for around $8 million. He spoke regarding the bonding of the project and how that factors into the cash balance. He finished by telling Council that the numbers in front of them were what would be submitted but they are not committed to the number yet if the Council wishes to make any changes and he felt the 7% falls in line with inflation and allows them to reduce the levy but still leaves the cash balance in a good place.

Mayor Stutte stated they don't want to be in a position where they reduce the levy and then have to increase it in a few years. There are a lot of things hanging around out there. He indicated the City is committed to the Highway 6 Project. He stated that he felt they have done really well at building up the cash balance and paying down debt, which will give us options and flexibility, and is a testament to good stewardship of dollars by the City Council.

Councilmember Fong asked when the last time was that the levy was lowered. Mr. Nash indicated 2016. He stated if the Council had no changes, what was before them would be what is presented at the hearing.

Review of City Mission Statement and Goals.

Councilmembers Fong, Beahm, Schroeder and Rosenberg formed a sub-committee to review the 2012 City of Hastings Mission Statement. Councilmember Fong indicated the Council had before them both a copy of the 2012 version and a proposed updated version. He indicated they tried to improve and simplify the language and make it a little more focused and easily digestible. The Council was in consensus with the shorter, more focused version and asked that it be placed on the September 27th City Council Meeting Agenda for approval.

Discussion on Lake Hastings Watershed Management and Roadmap to Restoration Grant Funding.

Tara Ogren, Civil Engineer, indicated she did storm water and flood plain management and she was going to talk to the Council regarding a Resolution of Intent and an Interlocal Agreement that they were requesting approval of at the next City Council Meeting. She identified some of the problems at Lake Hastings leading to the lake being classified as impaired as high concentrations of phosphorus and nitrogen in the water column, mercury and PCBs detected in fish tissue sampling and excess sedimentation. She indicated that Lake Hastings is a 70 acre lake and is a great community resource. She told the Council the water quality isn't good enough to be stocked by the Nebraska Game And Parks Commission. She indicated that overall the lake has accumulated sediment, has flood control issues and navigation and boat access issues which all lead to community problems. She went on to discuss the Clean Water Act 319 and a number of entities that would be partnering with the City of Hastings regarding the Lake Hastings Project. She stated there would be a 3-way cost share with the Upper Big Blue Natural Resources District (NRD), the Little Blue NRD and the City of Hastings and with the 319 funding, at this time, the cost to the City would be $9,000.00 and that is for the Water Quality Management Plan for Lake Hastings. She told Council the Lake was dredged in 1970 at a price of $76,000.00 and today we are looking at $5,000,000.00 for dredging Lake Hastings.

Councilmember Rosenberg asked if the lake would be drained when it was dredged. Ms. Ogren told Council they don't know right now and that a more focused engineering study would need to be done to decide what is right for the community.

Alex Engel, Fisheries Biologist, Southwest District Nebraska Game and Parks Commission, indicated the dredging is usually cheaper and easier to do when lake is dry but he also indicated that a decision would need to be made as to where the sediment goes. He indicated it can be piled on city properties or they might be able to find property owners that want it.

Ms. Ogren indicated they needed to start with managing the watershed, restoring the water volume and improving fishing and boating.

In summary, Mr. Ogren stated they do have a recipe for funding. She said it is an impaired lake, they need to amend the management plan, provide the $9000.00 contribution by the City, do impairment calculations, have stakeholder meetings and education, set goals, provide cost estimates, implement Best Management Practices, monitor and finally, remove water body from the impaired list.

Mr. Engel spoke of the benefits of clean lakes, the challenges with this type of project, water quality, improved aquatic habitat, and angler and boating access.

Councilmember Eley questioned how long it would take the lake to rejuvenate. Mr. Engel stated the lake would be non-fishable during the project as well as a couple years after the project.

Discussion of the use of electric vehicles on city sidewalks and streets.

Clint Schukei, City Attorney, reviewed the definition of motor vehicle which he felt would include the one wheel electric boards which would be a self-propelled vehicle and he also mentioned the definition of vehicle which would also include the one wheel electric boards. He talked to the Council about City Code Section 15-301 which indicated that a vehicle can't be driven on the sidewalk.

Councilmember Eley referenced City Code Section 17-115 and stated he felt there was a conflict because it allows bicycles to be ridden on the sidewalk other than the business district. He stated he felt a lot of cities are leaning toward the one wheel electric boards being treated like bicycles and he felt we need to move toward allowing this form of transportation for young adults. Councilmember Hartmann questioned what the best way is to police these types of vehicles on the road and felt there was a need to define where they should be and how the police can patrol them. He felt they needed to listen to how law enforcement felt they should be regulated.

Adam Story, Police Chief, indicated the number of wheels didn't really matter but there is state law and city ordinances and he felt they contradicted each other. He stated that he was concerned with roadway safety, citizen safety, sidewalk safety and trail safety and felt they should be allowed as long as there are ways to regulate the use.

Councilmember Hartmann asked if the police can sufficiently regulate these vehicles now. Chief Story said they have been using the state law versus the city code and the one wheel throws out some red flags with some of the motor vehicle definitions. He indicated that state law allows personal assisted vehicles, either handicapped or electric vehicles that can be used. He felt the city code needs to be cleaned up so that it is not confusing and doesn't contradict state law.

Mr. Schukei indicated he felt the question is where does the community want these vehicles to be and what do you want it to be. Councilmember Hartmann stated he wants to be the least restrictive as they have to be, but give the law enforcement the tools they need to regulate them as they need to. Mr. Schukei stated that if we have the a definition of a vehicle and they are being operated on the street all the rules of the road are applicable, Mr. Schukei told Council these vehicles are difficult to have in a business district with zero setbacks and that is whether it is a bicycle or one wheel electric board.

Councilmember Hartmann indicated he just wants to make sure that what we have on the books is workable for law enforcement.

Councilmember Fong suggested it might be good to make some Public Service Announcements in the spring to make everyone aware. Councilmember Eley agreed with being the least restriction as possible, but felt they needed to address this because there is a liability.

Mayor Stutte stated he felt it was something to keep an eye on and do some Public Service Announcements about. Chief Story agreed with educating.

Moved by Matt Fong seconded by Shawn Hartmann there being no further business to come before the Council, the meeting was adjourned at 6:59 p.m. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Chuck Rosenberg, Joy Huffaker, Butch Eley, Ted Schroeder, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.