

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL SPECIAL MEETING
Tuesday, September 27, 2022

Pursuant to due call and notice thereof, a Special 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 27, 2022.

The meeting was called to order at 5:30 p.m. in Special Session by Mayor Stutte with the following members present: Jeniffer Beahm, Ginny Skutnik, Ted Schroeder, Butch Eley, 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; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; Information Technology Director, Erik Nielsen; 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 September 27, 2022 Special Council 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 23, 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:

Councilmembers Schroeder, Rosenberg, and Fong attended the county's combined budget hearing last night. City Council is trying hard to do what is best for the citizens of Hastings.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked Roger Nash and other staff for their work in putting the city's budget together.

CONSENT AGENDA:

1. All Consent Items.

None.

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the proposed 2022-2023 Annual Budget for the City of Hastings.

Roger Nash spoke on the proposed 2022-23 Annual Budget for the City of Hastings. He gave corrections/clarifications from comments made at the joint hearing last night:

1. The comment made was that the City is expending utility revenues. Roger clarified that in looking at the general fund revenues, you will see money transferred from utilities to the general fund. What those are

for is the IT, HR, Finance, and City Attorney departments. Those are all 100% funded in the general fund. There is a monthly transfer from utilities to pay for their portion of what those expenditures are.

2. There was a comment on lack of transparency during the budget process. The example given was there was not any explanation or justification for the eight new public safety officials. Roger referred back to the council retreat held June 26th, 2022, which is the beginning of the budget process. The largest part of that meeting is the department heads going through their budgets and informing the council and mayor of what their requests are going to be, from increasing staff, or just increasing expenditures overall. That is an open meeting, open to the public. That meeting lasted close to three hours, and it was mostly discussion on the budget. Then on Monday, August 15th, the council held a worksession on the budget, which the budget was discussed for approximately 2 1/2 hours. There was discussion at that meeting about the full-time equivalent (FTE) employee requests. If you want to look at the minutes or watch the video from August 15th, Chief Story and Chief Starling explained their FTE requests. Mayor Stutte offered the floor for anyone wishing to speak on the proposed 2022-23 Annual Budget. No public stood to speak. No objections were received. Mayor Stutte closed the hearing.

Mayor Stutte reopened the hearing for speakers.

Spoke Against: Roger Kaufman, 849 North Burlington Avenue; Nick Ridgeway, 322 W. 39th, Kearney; Willis Hunt, 616 Madden Road; Peg Wallace, 2825 North Columbine; Daniel Buller, 922 North St. Joseph Avenue.

(b) Public hearing to set property tax request for fiscal year 2022-2023 at an amount that exceeds the property tax request for fiscal year 2021-2022. No public spoke. No objections were received. Mayor Stutte closed the hearing.

Moved by Matt Fong seconded by Ginny Skutnik to approve Resolution No. 2022-28 setting property tax request for FY2022-2023 in an amount that exceeds property tax request for FY2021-2022.

Moved by Chuck Rosenberg seconded by Ted Schroeder to amend Resolution 2022-28 to reduce the property tax request from \$7,721,186.00 to \$7,497,280.00 which is a reduction of \$223,906.00 and will cause the tax rate to be \$.424342 per \$100 of assessed valuation.

Councilmember Chuck Rosenberg stated that he attended last night's Adams County combined budget hearing. Ted Schroeder and Matt Fong were also in attendance. Chuck commented that we need to be frugal with our city budget. We may have to come back in a few years and raise taxes to pay for the state project on Highway 6 and other things. Councilmembers discussed consideration of lowering taxes because of the difficult economic times.

Vote on amendment to Resolution 2022-28: 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.

Vote on Resolution 2022-28 as amended: 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) ORDINANCE NO. 4712 ADOPTING THE ANNUAL APPROPRIATION BILL FOR THE CITY OF HASTINGS AND ADOPTING APPROPRIATE SUMS FOR THE NECESSARY EXPENSES AND LIABILITY FOR THE FISCAL YEAR 2022-2023

Ordinance No. 4712 was read by title and thereafter Councilmember Matt Fong moved for passage of the ordinance on first reading, which motion was seconded by Councilmember Shawn Hartmann.

Moved by Chuck Rosenberg seconded by Ted Schroeder to amend Ordinance No. 4712, Section 3 to reduce the taxes requested for the General Fund from \$6,056,037.00 to \$5,860,633.00 which is a reduction of \$197,404 and to reduce the taxes requested for the Museum Fund from \$1,192,591.00 to \$1,166,089.00 which is a reduction of \$26,502.00. 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.

Vote on Ordinance 4712, as amended: 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.

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, 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 30, 2022. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

4. General Business.

(a) Approval of the 2022-2023 Salary Schedule for the City of Hastings, Nebraska.

Moved by Matt Fong seconded by Butch Eley to approve the City of Hastings, Nebraska 2022-2023 Fiscal Year Salary Schedule. Councilmember Schroeder explained that police and fire departments have been transparent on their requests for additional personnel. 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 Shawn Hartmann seconded by Butch Eley to approve Wage Addendum to Hastings Firefighters Association Local Union 675, IAFF, AFL-CIO Collective Bargaining Agreement for Fiscal Year October 1, 2022 through September 30, 2023. 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 Matt Fong to approve Wage Addendum to Fraternal Order of Police Lodge 9 Collective Bargaining Agreement for Fiscal year October 1, 2022 through September 30, 2023. 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 Chuck Rosenberg seconded by Shawn Hartmann to approve of Hastings Area Chamber of Commerce Funding Agreement in the amount of \$30,000. 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 Ginny Skutnik seconded by Matt Fong to approve Hastings Economic Development Corporation Funding Agreement in the amount of \$175,000. 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) Moved by Matt Fong seconded by Shawn Hartmann to approve Resolution No. 2022-29 Annual Fee Resolution.

Moved by Ginny Skutnik seconded by Ted Schroeder to amend Resolution #2022-29 to remove the following:

1. In the Planning Services section remove #9 providing a fee of \$40.00 for Home Occupations which appears on page 9, and

2. In the Inspection Services section remove #11 providing a fee of \$40.00 for City Council approval for height increase.

Councilmember Skutnik stated that the home occupation ordinance does not have a fee tied to it, so we do not want it to go into the fee resolution. She does not feel like we should charge for anyone to take something to the city council for approval, so that is why the fence permit height is being removed.

Vote on amendment to Resolution No. 2022-29: 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.

Vote on amended Resolution No. 2022-29: 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. 4714 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR ELECTRIC SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance, which motion was seconded by Councilmember Shawn Hartmann.

The Mayor then stated the question "Shall Ordinance No. 4714 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 Matt Fong 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 30, 2022. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(c) ORDINANCE NO. 4715 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR GAS SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA

Councilmember Schroeder stated that utilities were transparent and told why there were increases in rates. Councilmember Rosenberg stated that studies were done and costs continue to go up for providing utilities.

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

The Mayor then stated the question "Shall Ordinance No. 4715 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 Matt Fong 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 30, 2022. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(d) ORDINANCE NO. 4716 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR WATER SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance, which motion was seconded by Councilmember Shawn Hartmann.

The Mayor then stated the question "Shall Ordinance No. 4716 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 Matt Fong moved that the statutory rule requiring reading on three different days be suspended; Councilmember Chuck Rosenberg 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 30, 2022. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(e) ORDINANCE NO. 4717 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR SEWER SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA

Said Ordinance was read by title and thereafter Councilmember Ginny Skutnik moved for passage of the ordinance, which motion was seconded by Councilmember Shawn Hartmann.

The Mayor then stated the question "Shall Ordinance No. 4717 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 Shawn Hartmann moved that the statutory rule requiring reading on three different days be suspended; Councilmember Chuck Rosenberg 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 30, 2022. Effective date of the ordinance is 15 days from and after the date this ordinance is passed and approved.

(f) ORDINANCE NO. 4718 TO ESTABLISH A RATE RIDER FOR CUSTOMERS RECEIVING ELECTRICITY FROM THE HASTINGS COMMUNITY SOLAR FARM AND DEFINING TERMS

Kevin Johnson explained that this is the annual rate rider that establishes the solar energy share charge, which does not change. It is at .0301, so a little above three cents for the solar energy charge. There is also a .0062 maintenance charge, and that is also not changing. What is changing is the conventional power credit. This is going up by .0135. The credit is increasing and that is primarily because the production from the solar farm is greater than we anticipated, so the credits back to the charges are increasing. We are almost sold out, so we are in discussions with large users about our next phase.

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance, which motion was seconded by Councilmember Shawn Hartmann.

The Mayor then stated the question "Shall Ordinance No. 4718 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 Shawn Hartmann moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley 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 30, 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 Ginny Skutnik seconded by Matt Fong there being no further business before the council to adjourn at 6:17 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)