

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, April 24, 2023

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 April 24, 2023.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Jeniffer Beahm, Brad Consbruck, Marc Rowan, Matt Fong, Joy Huffaker, Butch Eley, Steve Huntley, Shawn Hartmann. Absent: None.

The following City Officials were present: City Administrator, Shawn Metcalf; City Attorney, Jesse Oswald; City Clerk, Kimberly Jacobitz; Police Chief, Adam Story; 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; Chief Building Inspector, Kevin Kubo; Library Director, Amy Dissmeyer; Director of Energy Production & Supply, Derek Zeisler; Director of Environmental, Marty Stange.

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

Moved by Butch Eley seconded by Shawn Hartmann to adopt current agenda for April 24, 2023 Regular Meeting. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Abstain: Marc Rowan. Absent: None. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, April 21, 2023. 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 Fong introduced a special guest from Hastings Senior High. He is an exchange student visiting from Brazil, and will graduate in May. We are celebrating National Library Week through this week. There will be a recognition on Saturday for children reading 1,000 books by kindergarten.

Councilmember Rowan stated that Arbor Day is Friday, April 28th. There will be a celebration at the Hastings Community Center by Libs Park, and the public is welcome to attend.

Councilmember Huntley reminded everyone of the First Ward's Townhall meeting, scheduled for Thursday, April 27th, 7pm, at the South Fire Station.

Councilmember Beahm reported that the Museum Board met last week. They were told that the Kool-Aid Man statue should be here in the next few weeks.

CITIZEN COMMUNICATIONS:

Spoke on Item 4(d) Solar Farm Phase 2: Mike Anderson, 1405 South Baltimore.

MAYOR'S COMMUNICATIONS:

Brad Starling recognized the Sunnyside Foundation for a \$1,500 grant to implement a Chaplain Program at Hastings Fire & Rescue. Chaplain Eddie Goff thanked the Sunnyside Foundation for the grant. The grant purchased uniforms for the three volunteer chaplains and they were able to do extended training on how to assist first responders. The three volunteer chaplains are: Eddie Goff, Major Dale Brandenburg, and RC Montgomery.

The first proclamation read by Mayor Stutte was for National Library Week. Mayor Stutte presented the proclamation to Library Director, Amy Dissmeyer.

The second proclamation was for Building Safety Month, May 2023. Kevin Kubo commented on the proclamation, which encourages communities to bring buildings up to code.

Katie Karr (Museum Education Assistant and Volunteer Coordinator) recognized Museum volunteers.

CONSENT AGENDA:**1. All Consent Items.**

Moved by Matt Fong seconded by Shawn Hartmann to approve all consent items, as presented.

Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(a) Approval of the minutes of the Council Meeting of April 10, 2023

(b) Approval of claims and payroll

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

(d) Approval of the request of Start Over Rover to utilize city streets for the Woofstock event on June 10, 2023

(e) Approval of the request of Eagles Frat Hastings Aerie 592 dba "Eagles Frat Order 592" for a Special Designated Liquor License for the Woofstock fundraiser event located on 1st Street between Lincoln Avenue and Hastings Avenue on June 10, 2023

(f) Approval of the request of Hastings College to utilize city streets for Melody Round-Up Parade on September 30, 2023

(g) Approval of the request of the Hastings Masonic Lodge 50 to utilize city streets for the Hastings Veterans Recognition Parade on November 4, 2023

(h) Approval of Work Order GA-374, replacement of two inch medium pressure gas main, Lochland Phase 5, Madden Court east 1500' to 611 Madden Road

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 award contract to Morten Construction in the amount of \$367,084.00 for Phase 4 road resurfacing at Parkview Cemetery. Jeff Hassenstab reported that bids were opened on March 29th for the Phase 4 road resurfacing project at Parkview Cemetery. The plans included resurfacing of Mt. Sinai, as an alternate bid. Two bids were received with the low bid coming from Morten Construction, Kearney, Nebraska in the amount of \$367,084.00. The low bid for Mt. Sinai was \$61,133.00. The total project was budgeted at \$360,000. It is our recommendation to award the base bid to Morten Construction in the amount of \$367,084.00, with the alternate bid being rejected. Our intention is to include

Mt. Sinai resurfacing in next year's budget as part of Phase 5. Construction for Phase 4 will start in late summer with a December 1st completion date. Some trees must be removed, but we attempt to replace trees one for one. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Moved by Butch Eley seconded by Jeniffer Beahm to approve the contract with Philip Carkoski Construction and Trenching, Inc. for New Concrete Storage at the Utility Warehouse in the amount of \$80,663. Lee Vrooman reported that this project is to add concrete to the outside storage area at the Utilities warehouse. This new area will be used to store larger transformers that are now stored on pallets in a rocked area. The pallets degrade over time and the transformers start to sink into the ground. We received three competitive bids. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Moved by Jeniffer Beahm seconded by Shawn Hartmann to approve the contract with Babcock & Wilcox Co. for the Whelan Energy Center 1 Bottom Ash System in the amount of \$1,665,811. Lee Vrooman reported that Babcock and Wilcox was the low bid for this project. This contract is for the supply of equipment only. There will be another contract for installation of this equipment at a later date with the total project cost estimated to be \$3 – 3.5 million. Of that, approximately \$600,000 will be paid this year with the remaining being budgeted for the 2023/24 fiscal year. There is room in the electric department budget this year with the delayed delivery of transformers and equipment for the three substations projects that are budgeted and account for \$4.5 million of the \$10 million in the substation capital budget. This is a regulatory issue, an unfunded mandate, so we need to move forward with it. We have known about it, but just received word from the Environment Protection Agency (EPA) to move ahead with the project. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(d) Moved by Shawn Hartmann seconded by Matt Fong to approve the contract with GenPro Energy Solutions for the Hastings Solar Farm Phase 2 in the amount of \$8,413,259. Derek Zeisler reported that on January 18, 2023 bids were opened for this project. The Solar Farm Phase 2 will add 4.63 MW to the existing 1.5 MW farm west of the airport. Staff learned last fall that the Inflation Reduction Act (IRA) included provisions for municipalities to receive 30% (potential for more) direct refund. Refund will be received after construction is complete. Current Phase 1 Solar Field is sold out and there are three large customers looking for a renewable option that Phase 2 would supply. GenPro was the contractor on Phase 1 and is who staff is recommending for Phase 2. The \$2,007,386 would be spent this fiscal year, and the remaining amount budgeted in the 2023/24 fiscal year. There is room in the budget because of delayed deliveries of transformers and equipment. The Utility Advisory Board recommended approval. The Utility budget is firmed up in July, so it was too late to add the project back into the budget after the program moved forward. The rebates will most likely come back to us in fiscal year 2023-24 or 2024-25. The customer investment will be priced similar to Phase 1 of the Solar Farm. Through phase one, we looked at multiple locations and talked to the Federal Aviation Administration (FAA). Airports are a great location for solar farms, because other buildings cannot be built in those areas. Mayor Stutte addressed the Airport Layout Plan (ALP) has been approved with an industrial piece just west of Terminal Drive. There is an industrial track there and it is available and can be marketed. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Jeniffer Beahm. Nays: Marc Rowan, Steve Huntley. Absent: None. The motion carried.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4732 AMENDING SECTION 2-501 OF THE OFFICIAL CITY CODE TO REMOVE DIRECTOR OF DEVELOPMENT SERVICES FROM THE LIST OF DEPARTMENT HEADS

Shawn Metcalf reported that this is more of a housekeeping item. The Director of Development Services now reports to the City Engineer, so the position is now a division head instead of a department head. He will participate in interviews for this position as this is an important position for the City.

Said Ordinance was read by title and thereafter Councilmember Shawn Hartmann moved for passage of the ordinance, which motion was seconded by Councilmember Butch Eley. Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: Marc Rowan. 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, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: Marc Rowan. 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 ordinance is declared to be lawfully adopted upon publication as required by law.

(b) ORDINANCE NO. 4733 AMENDING SECTION 15-310 OF THE OFFICIAL CITY CODE TO PROVIDE FOR SPEED LIMITS ON SHOWBOAT BOULEVARD U.S. HIGHWAY NO. 6 TO 422' NORTH OF 12TH STREET

Lee Vrooman reported that Showboat Boulevard will be closed north of 26th Street starting May 1st so Adams County's contractor can repair the bridge. With the closure, the speed limit can be returned to 50 mph on Showboat Boulevard from Hwy 6 to 422 feet north of 12th Street.

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. Upon roll call vote the following Councilmembers voted Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Councilmember Butch Eley 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, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, 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 ordinance is declared to be lawfully adopted upon publication as required by law.

(c) Moved by Shawn Hartmann seconded by Steve Huntley to approve Resolution No. 2023-15 to temporarily place a stop sign at 26th Street and Osborne Drive East during construction of the Adams County's box culvert on Showboat Boulevard. Lee Vrooman reported that during the construction of the Adams County's box culvert on Showboat Boulevard, Osborne Drive East and 26th Street will be used as the detour route. During this time, we would recommend

changing the Yield sign for westbound traffic on 26th Street to a Stop sign. There will be no change to southbound traffic on Osborne Drive East as it will not stop. This is a temporary change and will be switched back after Showboat Boulevard is reopened. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

6. Final Passage of Ordinances.

None.

7. Appointments.

(a) Moved by Matt Fong seconded by Shawn Hartmann to approve Mayor Stutte's appointment, as presented: Mechanical Board Appointment: Stefan Schneider, term 4/24/2023 to 4/24/2025 Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

8. Miscellaneous and Other Business.

None.

Moved by Matt Fong seconded by Butch Eley there being no further business to come before the City Council to adjourn at 6:14 P.M. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: Marc Rowan. Absent: None. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)