

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, August 28, 2023

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Public Library, 314 N. Denver Avenue, on August 28, 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, Steve Huntley, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Matt Fong. Absent: Shawn Hartmann.

The following City Officials were present: City Administrator, Shawn Metcalf; City Attorney, Jesse Oswald; Utility Manager, Kevin Johnson; 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 Development Services, Chad Bunger; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson; Library Director, Amy Dissmeyer; Environmental Engineer, Marty Stange; Police Captain, Raelee Van Winkle; Police Captain, Jason Haase.

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

Moved by Butch Eley seconded by Brad Consbruck to adopt current agenda for August 28, 2023 Regular Meeting. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: Shawn Hartmann. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, August 25, 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 available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

COUNCIL COMMUNICATION:

Councilmember Rowan commented about the wonderful attendance at the recent town hall meeting.

Councilmember Eley commended Matt Kuhr for a job well done at the airport at a recent event.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte introduced Scout Troop 207, who were in attendance at the meeting to achieve a merit badge. Mayor Stutte introduced the Scott Scholars from Hastings College (Sophomore class).

City Administrator City Hall Q & A.

Shawn Metcalf addressed previous questions and comments on the city hall building.

- We have the deed to city hall.
- There is a shelter in the new build.
- Will update city hall's address on the website
- Staff is working to put together asbestos and mold removal to go out for bids.
- We are not steering the cost of a new building for city hall. We are following the facts.
- Employees voiced health concerns and that it has made a difference to be out of the city hall building. The ductwork could not be entirely cleaned, so it was the right thing to do to take employees out of the building.
- The staff are trying their best to get answers to everyone in a timely manner.
- There is no intentional spread of misinformation.

- Employee giving city hall tour pointed out that there was not a public bathroom on the main floor.
- Mid-2020 is when CMBA (architects) came onboard for city hall.
- Personal experience has been good working with members on the committee.

Mayor Stutte thanked staff, as it has been a long haul with the city hall building.

CONSENT AGENDA:

1. All Consent Items.

Moved by Matt Fong seconded by Butch Eley to approve all consent items, as presented. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: Shawn Hartmann. The motion carried.

- (a) Approval of the minutes of the Council Meeting of August 14, 2023
- (b) Approval of claims and payroll except the claim of Eldon's Automotive Repair
- (c) Approval of the request of Hastings Public Schools to utilize city property for the Hit the Ground Running Fun Run/Walk event on September 7, 2023 (This event was previously approved by the City Council for August 31, 2023 but has since been rescheduled to the September date.)

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the application of Cheese Shop, LLC dba "The Cheese and Wine Shop" for a Class "C" Liquor License (Beer, Wine, Spirits, On and Off Sale) at 615 W. 2nd Street. No public spoke. No objections were received. Chief Story reported that no issues were found for the application.

Moved by Matt Fong seconded by Jeniffer Beahm to approve Resolution No. 2023-28 approving the application of Cheese Shop, LLC dba "The Cheese and Wine Shop" for a Class "C" Liquor License at 615 W. 2nd Street. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: Shawn Hartmann. The motion carried.

(b) Moved by Jeniffer Beahm seconded by Matt Fong to approve the manager application of Michael L. Consbruck in connection with the Class "C" Liquor License of Cheese Shop, LLC dba "The Cheese and Wine Shop" located at 615 W. 2nd Street. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: Shawn Hartmann. The motion carried.

4. General Business.

(a) Annual report from Hastings Area Chamber of Commerce
Mikki Shafer (President) gave a presentation on behalf of the Hastings Area Chamber of Commerce. In the past they have received \$30,000 annually from the City of Hastings. She introduced Shannon Landauer as the new Executive Director. We are evaluating where we are at with retail. We want to make sure that the dollars are being maximized. For this budget, we see no changes. Shannon gave her background information to the group. Her office is located in the Chamber building.

(b) Annual report from Hastings Economic Development Corporation (HEDC)
Shannon Landauer (Executive Director) presented on behalf of the Hastings Economic Development Corporation (HEDC). She stepped through 2023 successes: business development, workforce, housing, and community projects. We are a pass-through as a sub-recipient of projects. She talked about school to work opportunities. The 2023-24 priorities for HEDC: existing industry, business development, community development, and organizational development. She complimented city staff on taking time to help her understand what she needs to know. Her office is located in the Chamber office.

(c) Moved by Butch Eley seconded by Matt Fong to approve claim of Eldon's Automotive Repair in the amount of \$1,325.61 (City). Roll Call: Ayes: Matt Fong, Marc Rowan, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Abstain: Joy Huffaker. Nays: None. Absent: Shawn Hartmann. The motion carried.

(d) Moved by Matt Fong seconded by Jeniffer Beahm to approve of moving the regularly scheduled City Council Meeting on Monday, September 25, 2023, from 5:30 P.M. to 6:00 P.M. at the Hastings Public Library, 314 North Denver Avenue. Shawn Metcalf reported that per State Statute 13-506, the budget hearing must be separate from the regular meeting. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: Shawn Hartmann. The motion carried.

(e) Moved by Butch Eley seconded by Matt Fong to approve of the calling of a Special Council Meeting on Monday, September 11, 2023 at 5:30 P.M. at the Hastings Public Library, 314 North Denver Avenue for the purpose of a public hearing on the 2023-2024 Annual Budget for the City of Hastings and related budget items. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: Shawn Hartmann. The motion carried.

(f) Moved by Jeniffer Beahm seconded by Joy Huffaker to approve the agreement with Werner Construction, Inc. for the Street Improvement District 2022-2 Lakeview 10th in the amount of \$375,357.00. Lee Vrooman reported that bids were opened for Street Improvement District 2022-2 Lakeview 10th on August 16, 2023. Werner Construction, Inc. was the low bidder. Engel Construction also bid on the project. Construction can start after completion of water and sewer main installation. This project has a budgeted amount of \$375,000 and an engineer's estimate of \$554,824 based on costs seen on previous projects this year. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: Shawn Hartmann. The motion carried.

5. Ordinances and Resolutions.

(a) Moved by Butch Eley seconded by Matt Fong to approve Resolution No. 2023-21 authorizing levy authority for the Community Redevelopment Authority (CRA) in the amount of \$497,876.51 to help defray the expenses of the Authority for the 2023-2024 fiscal year. Randy Chick, Director of Community Development Authority (CRA), spoke on this item. Statutes require that the Council must approve a levy request for the CRA. CRA was established by ordinance in March 1987. It is charged with the conservation and rehabilitation of substandard or blighted areas within the City. They have a five-member board, appointed by the mayor and council. Authorities have a broad range of powers and duties, which includes certifying on or before September 30th of each year to the governing body of the city the amount of tax to be levied for the succeeding fiscal year for community redevelopment purposes, not to exceed two and six-tenths cents on each one hundred dollars upon the taxable value of the taxable property in such city. There are 15 Redevelopment Areas within the city limits of Hastings. He talked about the primary uses of levy dollars in the amount of \$497,876.51 and past and future projects. With the increase in valuation, there is an increase in their request for funds. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Brad Consbruck, Steve Huntley. Absent: Shawn Hartmann. The motion carried.

(b) Moved by Butch Eley seconded by Matt Fong to approve Resolution No. 2023-27 authorizing allowable 1% increase in restricted funds. Roger Nash reported that approval is required before public hearings are advertised for adoption of the 2023-2024 budget at the September 11, 2023 council meeting. This allows for an additional 1% increase in restricted fund authority that can be carried over to the next fiscal year. This authority is for restricted revenues and has nothing to do with expending funds, it is strictly on revenues. In 1998, the State put in a law that would only allow cities to increase their restricted funds by a certain percentage each year. Restricted funds include property taxes, motor vehicle taxes, municipal equalization, highway allocations, sales tax, and some occupation taxes. Each year we have a number, which is the amount of revenue we can receive from those sources. The State allows you to increase it automatically each year by 2 1/2%. With a vote of the council, we can increase another 1%. It is an important number, as that number carries over to the next year and creates the new restricted lid. That number continues to compound. So adding that 1% allows us to receive more revenue in the future, if sales tax or highway allocation were to increase. There are exceptions to the lid (e.g. inter-local agreements, bonded debt), which we get to subtract, and that helps to keep us under the lid. This just adds additional authority each year. This allows us to keep sales tax dollars if we see a significant increase in sales tax, as we have recently seen. We do not want to be required to lower a revenue source, because other revenue sources are increasing. We would want to be able to lower property taxes based on a decision we make to do that, and not what the State restricts, based on other revenue funds

increasing. Property tax is the only revenue source that we control. All of the rest of the sources are determined by the State. Roll Call: Ayes: Matt Fong, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: Shawn Hartmann. The motion failed.

6. Final Passage of Ordinances.

None.

7. Appointments.

(a) Moved by Matt Fong seconded by Butch Eley to approve appointments to Boards as follows:

Library Board: Nichole Bryant, 8/28/2023 to 8/28/2027, Reappointment

Museum Board: Darin Clark, 8/28/2023 to 7/31/2027, Replacement

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

8. Miscellaneous and Other Business.

None.

Moved by Steve Huntley seconded by Jeniffer Beahm there being no further business to come before the Council, to adjourn at 6:34 P.M. Roll Call: Ayes: Matt Fong, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Absent: Shawn Hartmann. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)