

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, September 11, 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 September 11, 2023.

The meeting was called to order at 6:54 P.M. in Regular Session by Mayor Stutte with the following members present: Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Matt Fong, Steve Huntley, Shawn Hartmann. Absent: None.

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; Safety Director, Trent Clark; Chief Building Official, Kevin Kubo; Public Information Manager, Tony Herrman.

Moved by Matt Fong seconded by Shawn Hartmann to adopt current agenda for the September 11, 2023 Regular Meeting. 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.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, September 8, 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 Beahm reported on the Museum Board. They are going through numbers from Kool-Aid Days. They had approximately 2,000 people who went through the museum and theater that weekend. Check the website for other opportunities at the museum.

Councilmembers Fong and Hartmann voiced gratitude to the Hastings Police Department for their work in recent drug-related arrests at a home in Ward 4. This home has been an area of concern for residents in the area. Thanks for diligent work on keeping neighborhoods safe.

Councilmember Rowan stated that wards are numbered left to right across the dais.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte recognized the following employees for service anniversaries: John A Brown, Cemetery, 10; Brett Munter, Utility, 20; Mark Grupe, Police, 10; Mark Hinrichs, Police, 35; Raelee Van Winkle, Police, 15; Beverly Walker-Whitsel, Library, 35.

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 August 28, 2023

(b) Approval of the minutes of the Worksession of August 21, 2023

(c) Approval of claims and payroll except the claim of Eldon's Automotive Repair

(d) Behind the Scenes monthly Department Head report for August, 2023

(e) Approval of the request of Our Little Angels to utilize city property for the Our Little Angels 5K Remembrance Run on October 7, 2023

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of The Toy Shed, LLC - Arlin Kiel to bring property generally located to the southeast of the intersection of South Showboat Avenue and East South Street (U.S. Highway 6), which is being platted as Showboat Condo Addition, within the corporate limits of the City of Hastings. No public spoke. No objections were received.

Moved by Matt Fong seconded by Joy Huffaker to approve Resolution No. 2023-26 extending the boundaries and including within the corporate limits of the City of Hastings property generally located to the southeast of the intersection of South Showboat Avenue and East South Street (U.S. Highway 6), which is being platted as Showboat Condo Addition. Chad Burger reported on the summary, to bring property into the city. Details of the property: 14.6 acre tract of land, approximately 9.9 is outside of the city limits, and the I-2 Heavy Industrial District will remain. This item will give a better paper trail on which properties are brought into the city, and make it clear to the public. The property is currently zoned I-2 Heavy Industrial, but the future land use is commercial/retail. The Planning Commission recommends approval 8-0. The property owner is proposing a development plan that will be a new development that will require new utilities. It would be a benefit to them to get on city utilities. 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 Joy Huffaker to approve the preliminary plat for Showboat Condos Addition. Chad Burger reported that the preliminary plat is the same property as the previous agenda item. They would like to subdivide in the preliminary plat: six lots on the 14.6-acre tract. They would have a total of 60 garages and up to 60 temporary dwelling units above them. There was one out lot proposed, but they are in design to possibly eliminate the out lot, per concerns from Planning Commission. They are working through all the other conditions. The use is allowed in the zoning district. He should see the final plat soon, and then take it to the Planning Commission in October and Council in November. 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.

4. General Business.

(a) Moved by Shawn Hartmann seconded by Butch Eley to approve the claim of Eldon's Automotive Repair in the amount of \$3,302.62 (City). Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm.

Abstain: Joy Huffaker. Nays: None. Absent: None. The motion carried. Councilmember Huffaker abstained because of conflict of interest.

(b) Moved by Matt Fong seconded by Shawn Hartmann to authorize the Mayor to execute those documents necessary to obtain and maintain a letter of credit from Five Points Bank of Hastings in the amount of \$1,690,304.25 to satisfy the Performance Guarantee obligations related to the Hastings Groundwater Contamination Site. Jesse Oswald stated that this document has been prepared by outside counsel. Hastings entered into consent decree with EPA to perform certain investigation and remediation activities at the North Landfill and South Landfill Subsites, as well as at the Area Wide Operable Unit, and is required, by the terms of those Consent Decrees, to provide security for performance of Hastings' share of the work, known as a Performance Guarantee. The continuation has been done in previous years. This is simply a line of credit, if we need to pay these moneys. It shows the EPA that we can pay, if we need to.

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.

5. Ordinances and Resolutions.

None.

6. Final Passage of Ordinances.

None.

7. Appointments.

None.

8. Miscellaneous and Other Business.

None.

Moved by Butch Eley seconded by Jeniffer Beahm there being no further business to come before the council, to adjourn at 7:16 P.M. 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.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)