

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, September 25, 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 25, 2023.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Shawn Hartmann, Butch Eley, Jeniffer Beahm, Steve Huntley, Brad Consbruck, Joy Huffaker, Marc Rowan, Matt Fong. 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; Information Technology, Kirk Layton; 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; Public Information Manager, Tony Herrman; Safety Director, Trent Clark; Chief Building Official, Kevin Kubo; Director of Energy Production and Supply, Derek Zeisler; Director of Electric Operations, Noel Nienhueser.

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 September 25, 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 22, 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 reported that a few members of the council attended the pink card meetings and appreciated citizen input.

CITIZEN COMMUNICATIONS:

Against budget: Kim Anderson, 1405 S Baltimore; Mike Anderson, 1405 S Baltimore
Support budget: Dave Rippe, 1312 Heritage Drive
Support City Hall: Bob Murphy, 2130 S Wabash, (Business Improvement District)

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked Hastings Police Department for their presence in front of schools.

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 September 11, 2023 (Special Meeting)
- (b) Approval of the minutes of the Council Meeting of September 11, 2023 (Regular Meeting)
- (c) Approval of claims and payroll except the claim of Eldon's Automotive Repair
- (d) Approval of Invoice No. 001 from Corner Building, LLC in the amount of \$100,000.00 for work completed at 701 and 711 West 1st Street for Community Development Block Grant Project 21-DTR-007, Downtown Revitalization
- (e) Approval of the request for Community Development Block Grant funds, Drawdown #5, in the amount of \$76,200.00 for Community Development Block Grant Project 21-DTR-007, Downtown Revitalization

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

None.

4. General Business.

(a) Moved by Butch Eley seconded by Shawn Hartmann to approve claim of Eldon's Automotive Repair in the amount of \$576.18 (City). Roll Call: Ayes: Matt Fong, Shawn Hartmann, Marc Rowan, Butch Eley, Brad Consbruck, Steve Huntley, Jeniffer Beahm. Nays: None. Abstain: Joy Huffaker. Absent: None. The motion carried. Joy Huffaker abstained because of conflict of interest.

(b) Moved by Butch Eley seconded by Matt Fong to award bid for insurance coverage for Fiscal Year 2023-24. Jeff Scanlan and Mark Frantz (FNIC) presented insurance coverage information to the council. They provided an executive overview, which summarized insurance coverage. Insurance is about a 10% increase. Property coverage cost is weather driven. There was no change in the deductible structure from last year. Workers' Compensation experience modifier decreased, giving a positive impact on coverage. The cyber market was more stable this year, in comparison to one year ago. 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 Shawn Hartmann seconded by Matt Fong to approve renovation of City Hall. Shawn Hartmann withdrew his motion.

Moved by Shawn Hartmann seconded by Matt Fong to approve renovation of City Hall, including the expansion of council chambers, and leaving the basement unfinished. Shawn Metcalf spoke on the advantages to making a decision on this project now because the longer we wait, the more the project will cost residents. Renovation means taking everything down to the concrete (like the library renovation). If the Council approves the FY24 budget as presented, the budget for City Hall renovation allocation will be \$2,500,000. Most of the renovation expenses for City Hall will hit the Fiscal Year 2025 budget. With the Fiscal Year 2024 allocation, we will continue working with CMBA architects to complete architectural drawings, remove asbestos and mold, and start construction. We will get council's feedback on items such as the exterior appearance of the building and the appearance of council chambers. All other items related to this project are the responsibility of the staff to decide. When we receive bids on the project, the council will have a better idea of the actual costs of the project. Lee Vrooman stated that the asbestos bid package is out for bid right now, opening bids on October 11th. If approved, we will engage the architect and get into the design phase. We want to make sure we are not duplicating work on this project. Council discussed the choice of renovation over a new building and an option for the chamber with technology and space needed for the future. A concern was voiced on spending money to get rid of mold, then a leaking roof gets us back to the same place. Lee Vrooman stated that the bid is for asbestos removal and mold, if it is found. 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.

(a) ORDINANCE NO. 4745 ADOPTING THE ANNUAL APPROPRIATION BILL FOR THE CITY OF HASTINGS AND ADOPTING APPROPRIATE SUMS FOR THE NECESSARY EXPENSES AND LIABILITY FOR THE FISCAL YEAR 2023-2024 (*Second and possible Final Reading*)

Moved by Matt Fong seconded by Butch Eley to adopt Ordinance No. 4745 on second reading. Jesse Oswald explained Robert's Rules of Order in relation to the second and final reading at the last meeting. Council discussed the challenges of the budget and the timeline followed for budget discussions. They also discussed citizen input, the timing of concerns brought forward by council members, and the need for council to bring specific ideas about where to cut the budget. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

(b) ORDINANCE NO. 4741 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR ELECTRIC SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA *(Second and possible Final Reading)*

Moved by Matt Fong seconded by Shawn Hartmann to amend Ordinance 4741, providing modification of monthly billing for electric service and rates, by changing the effective date from October 1, 2023, to October 15, 2023. Jesse Oswald reported the reason that we are doing this is that ordinance takes 15 days to go into effect after passage. The effective date on the ordinance was October 1, now must be pushed to October 15. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

Moved by Matt Fong seconded by Butch Eley to approve Ordinance 4741 as amended on 2nd reading to provide modification of monthly billing for electric service and rates. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

(c) ORDINANCE NO. 4742 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR GAS SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA *(Second and possible Final Reading)*

Moved by Matt Fong seconded by Shawn Hartmann to amend Ordinance 4742, providing modification of monthly billing for gas service and rates, by changing the effective date from October 1, 2023, to October 15, 2023. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

Moved by Matt Fong seconded by Shawn Hartmann to approve Ordinance 4742 as amended on 2nd reading to provide modification of monthly billing for gas service and rates. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

(d) ORDINANCE NO. 4743 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR WATER SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA *(Second and possible Final Reading)*

Moved by Matt Fong seconded by Butch Eley to amend Ordinance 4743, providing modification of monthly billing for water service and rates, by changing the effective date from October 1, 2023, to October 15, 2023. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

Moved by Matt Fong seconded by Butch Eley to approve Ordinance 4743 as amended on 2nd reading to provide modification of monthly billing for water service and rates. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

(e) ORDINANCE NO. 4744 AMENDING THE RATE RIDER FOR CUSTOMERS RECEIVING ELECTRICITY FROM THE HASTINGS COMMUNITY SOLAR FARM *(Second and possible Final Reading)*

Moved by Matt Fong seconded by Shawn Hartmann to amend Ordinance 4744, amending the rate rider for customers receiving electricity from the Hastings Community Solar Farm, changing the effective date from October 1, 2023, to October 15, 2023. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

Moved by Matt Fong seconded by Shawn Hartmann to approve Ordinance 4744 as amended on 2nd reading to amend the rate rider for customers receiving electricity from the Hastings Community Solar Farm. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

(f) ORDINANCE NO. 4746 CONVEYING OWNERSHIP OF PARCEL OF LAND COMMONLY REFERRED TO AS 1938 W. 8TH STREET TO JOSE A. CARRILLO AND ALBA N. BUENO FOR \$20,000.00.

Jesse Oswald reported that Nebraska Statutes require the sale of real estate by a city to be accomplished by the adoption of a sales ordinance and an opportunity for remonstrance to occur. The City previously obtained this piece of property, which contained a burnt down house. The City, upon obtaining ownership, demolished the burnt down house and is now wanting to convey this property so that a new house may be built. City Council approved the entering of an agreement with this buyer back in July. A condition of that agreement was that the City needed to get clear title to this property. The City was able to obtain clear title and would therefore like to convey the property to the owners.

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, Marc Rowan, Joy Huffaker, Butch Eley, Brad Consbruck, Steve Huntley, 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, 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.

(g) Moved by Butch Eley seconded by Shawn Hartmann to approve Resolution No. 2023-30 adopting property tax request at higher amount for Fiscal Year 2023-2024 in an amount that exceeds property tax request for FY2022-2023. Roll Call: Ayes: Matt Fong, Shawn Hartmann, Joy Huffaker, Butch Eley, Jeniffer Beahm. Nays: Marc Rowan, Brad Consbruck, Steve Huntley. Absent: None. The motion carried.

6. Final Passage of Ordinances.
None.

7. Appointments.
None.

8. Miscellaneous and Other Business.
None.

Moved by Steve Huntley seconded by Butch Eley there being no further business to come before the council to adjourn at 6:35 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)