

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, February 12, 2024

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 Municipal Airport, 3300 West 12th Street, on February 12, 2024.

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

The following City Officials were present: City Administrator, Shawn Metcalf; Asst. City Administrator, Mark Funkey; 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, Kirk Layton; Director of Engineering, Lee Vrooman; Director of Development Services, Chad Bunker; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson; Public Information Manager, Tony Herrman; Safety Director, Trent Clark; Library Director, Amy Dissmeyer.

The Pledge of Allegiance to the Flag of the United States of America was recited.

Moved by Butch Eley seconded by Shawn Hartmann to adopt current agenda for February 12, 2024 Regular Meeting, removing item 5(b) Resolution No. 2024-02 approving the revised Hastings Employee Handbook. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, February 9, 2024. 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 and a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

COUNCIL COMMUNICATION:

Councilmember Eley reported that he recently toured the Adams County Justice Center, along with Councilmembers Huntley and Rowan.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte introduced and gave a warm welcome to Mark Funkey on his first day as the new Assistant City Administrator.

Mayor Stutte recognized Service Anniversaries for Susan Stromer, Utilities, 10; Mike Ashley, Utilities, 25; Gary Cuddeford, Utilities, 15; Lori Hartman, Human Resources, 10; Darian Archer, Landfill, 5; Marty Stange, Environmental, 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: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

- (a) Approval of the minutes of the Council Meeting of January 22, 2024
- (b) Approval of claims and payroll
- (c) Approval of the renewal of May 1, 2024 - April 30, 2025 Liquor License Applications for the following: **Class "B"** Off Sale Beer - Thomsen Oil Co., Family Dollar, Inc.; **Class "D"** Off Sale Beer, Wine, Spirits - Bosselman Pump & Pantry, Inc., Boys 3 MCP, Inc., Casey's Retail Company (3), CF Altitude, LLC, Cooperative Producers, Inc. (2), GNS Corporation (2), Hoff Brothers, Inc. (4), L.C.S., Inc., Walmart, Inc., Walgreen Company; **Class "I"** On Sale Beer, Wine, Spirits - AFJ, Inc., BPOE Lodge 159, Central Community College Area, El Puerto, LLC, Frew Enterprises, LLC, Golden Entertainment NE, Inc., Nebraska Softball Association, Ninja House, Inc., RL Fridley Theatres, Inc., The Listening Room, Inc.; **Class "K"** Catering - BPOE Lodge 159, Central Community College Area, Steeple Brewing Company, LLC; **Class "L"** Craft Brewery - No Coast Brewing, LLC, Steeple Brewing Company, LLC; **Class "M"** Bottle Club - Jonathon D. Canterbury
- (d) Approval of the request of the Hastings Public Library for the Summer Reading Block Party event to be held on city property on June 1, 2024
- (e) Approval of Work Order WA-124, replace and upgrade existing four inch water main with an eight inch water main on South Boston Avenue, "A" Street to "E" Street and install new main on "C" Street from Baltimore Avenue to Boston Avenue

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

None.

4. General Business.

(a) Amy Dissmeyer, Library Director, presented the Library Annual Report. She explained how the library impacts daily lives in the community. Programs are funded by several sources, including the Hastings Library Foundation and grants. The organization has been restructured to include new positions to focus time and effort on enhancing programs, growing and maintaining their collection, and implementing services both outside and within the library.

(b) Teresa Kreutzer-Hodson, Museum Director, presented the Museum's Annual Report. Bruce Sandahl, President of the Museum Advisory Board, was also in attendance. Every year the American Alliance of Museums and Wilkening Consulting groups work together to survey museums across the country and find out how they are recovering after COVID. Most museums surveyed do not have theaters. The museum is rebounding from COVID numbers, but our theater has not rebounded in attendance. Financial trends are showing the struggle for the museum. There was a 54% decrease after COVID in our financial outlook. We ended this year up 1% overall, even though we were down in theater numbers. The Shuttered Venue Operators Grant helped us through COVID. We continue to have high attendance in Summer Fun classes and school programs. We continue to bring in culture, providing demonstrations when possible. We have increased public tours and are leaning into outdoor education with the outdoor classroom. Next year's focus is to build efficiency in what we do and how we do it, and bring building areas up to code.

(c) Presentation of Hastings Economic Development Corporation (HEDC) year-end report for 2023 and goals for 2024. Shannon Landauer, Executive Director of the Hastings Economic Development Corporation (HEDC), gave the presentation. HEDC has completed 75 housing units, has 80 private investment partners, and 7,300 unique website viewers. They currently have five businesses utilizing our NDO and RLF revolving loan structures. These loans allow them to support new and existing businesses in our community. Their 2023 Community Development included high school industry tours, Elevate (summer intern program), and State of the City event. Community Development encompasses housing, workforce, childcare, community amenities and initiatives that will help attract people that support our companies. The 2024 Priorities are existing industry, business attraction, housing development, talent development, and administration.

(d) Shawn Metcalf gave a presentation on the utilization of the Community Survey Dashboard. He reviewed the five sections of survey results: City Performance, Who Responded, Mapping, Investment Priorities, and Benchmarks. He maneuvered around the city's website within the survey results to show the many uses for the data collected through the Community Survey.

(e) Moved by Shawn Hartmann seconded by Matt Fong to approve the Interlocal Agreement with the Board of Regents of the University of Nebraska and the Nebraska Forest Service to provide firefighting resources on federal deployments. Concerns were brought up about sending our employees in harm's way when not necessary and the liability when an employee of the City would be at fault for an incident when on location. We are a small department, so sending employees could be a problem. Concern was also voiced about wear and tear on our equipment, and the possibility of needing to replace it earlier than expected. Brad Starling explained that the Feds would not cover an incident with their insurance if it was our fault. If it was the Feds fault, they would cover with their insurance. He stated that this is a new program in Nebraska and the only department currently under contract is Gehring. Nationally, there are many departments that deploy across the country. He stated that this program is important for training and experience. He would deploy resources as he sees fit. Another concern raised was about taking employees away from serving our residents. Brad Starling commented that we are currently fully staffed with full-time positions. We are approved for eight part-time positions and have six of those filled. He stated that as a request comes in, we can accept or deny any deployment. He explained that employees could be deployed anywhere in the country. We would always have a minimum level of staffing daily and have to manage appropriately for time off. Brad stated this is voluntary on an employee's part, and nobody would be forced to leave. Brad stated that the equipment covered on the contract is the brush truck and ambulances. He stated that feedback from some employees has been excitement, but others might not want to leave town. Brad stated that the contract does not exclude anyone based on rank. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: Butch Eley. Absent: None. The motion carried.

(f) Moved by Shawn Hartmann seconded by Butch Eley to approve the agreement with the State of Nebraska for the purchase of land north of the current landfill in the amount of \$1,450,000. Marty Stange and Lee Vrooman presented this item. The City of Hastings would be acquiring approximately 122 acres of land directly north of the current landfill up to the BNSF railroad tracks and an additional 5 acre strip of land along the north side of the railroad tracks for a total of approximately 127 acres from the State of Nebraska. The landfill would be paying 1/3 of the purchase price and utilities would be paying approximately 2/3 of the purchase price. The landfill would be using approximately 1/3 of the acquired land for future expansion of the landfill while utilities would be using the remaining 2/3 of the land for future development. The total purchase price is \$1,450,000 which is the appraised value. State of Nebraska prepared the appraisal, as required for the sale of the property. In 2019, Cell 6 in the landfill was opened. We are now at ground surface. We will come out of the ground level very soon and it will be tougher to keep garbage on the grounds as the wind blows. Benefits of buying this property are existing shelter belts which can be improved to capture wind-blown debris, use of existing access, roadways, leachate pond, and support buildings, avoiding significant cost. We could avoid purchasing private land, taking it out of production. Nebraska Department of Environment and Energy (NDEE) has been consulted and saw no red flags. Their criteria has been evaluated and appears it can be met. Design details will need to be submitted to NDEE before approval can be provided. Permitting of future expansion is expected to be less complicated, being adjacent to the existing landfill. Before construction begins, NDEE would need to approve construction plans, permits, public hearing and other regulatory requirements. Keeping the future expansion adjacent to the existing landfill also reduces future post closure costs. Federal Aviation Administration (FAA) is in the process of completing a feasibility of the site: structure height and bird mitigation. The Utility Department is partnering with the Solid Waste Department in purchasing the remaining acreage for future electric production, energy supply options and other uses. Lee Vrooman spoke on the Utility Department opportunities of potential projects, which benefit from the proximity of existing infrastructure, such as the Tallgrass TIGT

pipeline, west town border station, electric transmission infrastructure, Don Henry, and the rail. Potential projects include liquid natural gas (LNG) conversion and storage, supplemental and/or replacement power generation, energy storage, solar, gas and electric infrastructure. An analysis will need to be done before we move forward with any of these, to make sure they are economically viable and feasible. That analysis would not start until the property is purchased. The Utility Advisory Board unanimously recommended purchase of this property 5-0 at their meeting last week.

Discussion started with the concern on windy days, having to make the determination to shut down the landfill, creating problems for those wanting to haul debris to the landfill. The higher up the landfill waste goes, the more problems we will encounter with wind. Starting a new cell would benefit the city and haulers because we could move to the new cell on those windy days, going below ground level. We have looked at tall fencing, but it gets expensive and time consuming to do that. Councilmember Hartmann asked if someone from Woodward's Disposal would stand up to speak to the problems with getting shutdown from hauling to the landfill. Robb Woodward, David Gorecki, and Bryce Knaub of Woodward's Disposal Service were in attendance. Bryce Knaub stood to speak on their challenges.

Councilmember Beahm asked about encroaching on West 2nd Street and future development. Chad Bunker, Development Services, stated that the area could be developed. The developers would be aware of the current landfill in the area, and would also know of the future landfill expansion, so there would be no surprises for developers. Another consideration of development is if not at this location, where would you put it? Mayor Stutte explained that no matter what land we purchase for the landfill, we will have the same requirements. Being next to the current landfill should make the permitting process easier. Jesse Oswald reported that the State included "Time is of the essence" language in the contract. Roll Call: Ayes: Butch Eley, Joy Huffaker, Shawn Hartmann, Matt Fong, Corey Stutte. Nays: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Marc Rowan. Absent: None. The motion carried.

(g) Moved by Butch Eley seconded by Jeniffer Beahm to approve the agreement with Van Kirk Bros Contracting for the Water Main Replacement on South Boston Ave. in the amount of \$554,491.50. Lee Vrooman presented this project which is part of the Lead Service Line Main Replacement Program. We opened bids on January 31st, receiving only one bid. An existing 4" main, age unknown to 1928, is being replaced with an 8" main which will increase fire flows in this area of town. After the main is replaced, Utility crews will replace water services that are lead. During the design of this main, it was determined that an additional 500 feet of main should be installed on C Street to provide better water flow for the system and avoid additional construction costs. This extra section put the project over the \$470,000 that was budgeted for the next two budget cycles. The overall water budget will remain under budget in that the NDOT Hwy 6 project is not expected to start this fiscal year. Construction is anticipated to be complete this fiscal year. The start time is later this spring. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

(h) Moved by Shawn Hartmann seconded by Matt Fong to approve moving Monday, February 26, 2024 City Council Meeting to Tuesday, February 27, 2024 at 5:30 P.M. at the Hastings Municipal Airport due to attendance at the League of Nebraska Municipalities Conference. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4752 TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF AND ANNEX TO THE CITY OF HASTINGS, NEBRASKA CERTAIN CONTIGUOUS AND ADJACENT LANDS OUTSIDE OF THE CITY OF HASTINGS. (THE THREE AREAS CONSIDERED FOR ANNEXATION ARE CITY-OWNED LAND FOR THE PARKVIEW CEMETERY, (PROPERTY 1.H) IN AREA #1, AREA #2, INDUSTRIAL PARK NORTH, AREA #3, INDUSTRIAL PARK WEST) (**Second Reading**)

Moved by Matt Fong seconded by Shawn Hartmann to approve Ordinance No. 4752, on second reading, annexing Area #2, Industrial Park North; and Area #3, Industrial Park West Area and Property 1H- the Hastings Cemetery. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

6. Final Passage of Ordinances.

None.

7. Appointments.

(a) Appointment to Boards and Commissions

Moved by Matt Fong seconded by Butch Eley to approve Mayor Stutte's appointments to Boards and Commissions as presented:

Airport Advisory Board: Phil Beda, 2/25/2024 to 2/25/2028, Reappointment

Business Improvement Board: Bob Murphy, 2/12/2024 to 2/12/2027, Reappointment

Planning and Zoning Commission: Chuck Rosenberg, 2/12/2024 to 2/12/2027, Replacing; Joe Kindig, Alternate, 2/12/2024 to 2/12/2026, Replacing; Greg Sinner, 2/12/2024 to 2/12/2027, Reappointment; Lou Kully, 2/12/2024 to 2/12/2027, Reappointment

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

8. Miscellaneous and Other Business.

None.

Moved by Steve Huntley seconded by Matt Fong there being no further business to come before the council to adjourn at 7:49 P.M. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)