

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Tuesday, May 28, 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 May 28, 2024.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Brad Consbruck, Jeniffer Beahm, Matt Fong, Shawn Hartmann, Joy Huffaker, Marc Rowan, Steve Huntley, Butch Eley. 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 Director, Erik Nielsen; Director of Engineering, Lee Vrooman; Director of Development Services, Chad Bunker; Environmental Engineering, Marty Stange; Public Information Manager, Tony Herrman; Safety Director, Trent Clark; Director of Energy Production & Supply, Derek Zeisler; Information Technology, Kirk Layton.

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

Moved by Butch Eley seconded by Matt Fong to adopt current agenda for May 28, 2024, Regular Meeting. 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, May 24, 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 during the last storm a tree limb fell onto the road near his home. Two Allo trucks pulled up and cut the tree into pieces, and moved it out of the roadway. He thanked Allo for being community partners. Councilmember Fong echoed that community members stepped up to help with downed limbs. He also thanked city departments for their cleanup after the storm. He also reported on the D-Day 80th Anniversary Celebration planned for June 6th-9th. The Hastings Airport, Library, and Museum are coordinating the event. Councilmember Hartmann reported on the June 8th Open House from 8a.m. to 4p.m. at the Hastings Municipal Airport. Several military aircraft will be in town for the event, which will include a B25 Mitchell and C47. A re-dedication of the recently painted F-4 static exhibit will be held at 11a.m. during the Open House.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked all city staff involved in the storm cleanup around town on Friday and over the weekend.

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 May 13, 2024
- (b) Approval of claims and payroll
- (c) Approval of Work Order EL-282, installation of three-phase underground electric lines and padmount transformers for the new Fiber Building at Central Community College-Hastings Campus
- (d) Approval of Work Order GA-381, new four inch medium pressure gas main for Central Community College Phase III
- (e) Approval of Work Order SW-371, Maxon Lagoon, dredging the north half of the west lagoon

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

None.

4. General Business.

(a) Moved by Shawn Hartmann seconded by Steve Huntley to approve the Addendum Agreement with Hastings Keno, Inc. to make Bullseye, Inc., located at 2017 West 2nd Street, a new Sales Outlet Location for Hastings Keno, Inc. Mike Nevriy reported that this will be the sixth Keno location in town. He is expecting a June start date. Keno brings in extra revenue for the General Fund that can be used to support community projects. The estimated annual revenue for Keno is \$180,000. 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.

(b) Moved by Shawn Hartmann seconded by Butch Eley to approve the Landfill Gas Term Sheet with NewCarbon. Marty Stange reported that approval of the NewCarbon Landfill Gas Term Sheet is necessary to begin the process of funding and developing equipment to process the Hastings Landfill gas into a pipeline quality natural gas. The approval will provide the exclusive right of NewCarbon to the Hastings Landfill gas so that NewCarbon can secure marketing contracts for the methane. This is a one-year commitment to them. NewCarbon will be responsible for the development of the project, including all construction and operating costs. They will need 1–2 acres for the project. The Solid Waste department will be required to flare any landfill gas recovered that cannot be processed. NewCarbon has potential access to federal grant monies that need to be secured in a timely manner. Time is of the essence to get funding applications completed, marketing contracts developed, plans and specifications prepared, and to secure contractors and materials to begin construction by December 31, 2024.

Future permitting of a flare will be required to collect and process any methane that cannot be converted to pipeline quality. Upon successful completion of this project, it has the potential to save significant capital improvements for the Solid Waste Department. Currently, methane is being generated by the unlined landfill cell and allowed to escape into the vadose zone and ultimately into the air through passive vent wells. Future EPA and NDEE regulations are forthcoming that will require collection and control of methane gas generated by landfills. The project will beneficially use the methane by displacing the use of natural gas rather than simply flaring the methane.

Marty stated this is only for the marketing portion of the project. There will be additional agreements to come before the council after the design is completed. We will need to get an air permit for the project. There will most likely be minimal storage on the property. We will look at the design for safety issues. The new landfill property purchase made it more attractive to NewCarbon because of their close proximity to the railroad tracks.

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.

(c) Moved by Shawn Hartmann seconded by Butch Eley to support the Fire Department's request to seek Delegated Authority from the Nebraska State Fire Marshal as a pilot program. Fire Chief Brad Starling explained that State Statute allows the State Fire Marshal the ability to delegate their authority to local cities. This authority primarily includes reviewing building plans and performing fire safety inspections, with a few exceptions that cannot be delegated. Currently, owners and contractors have to coordinate with safety plans reviews and inspectors at both the state and local level. With delegated authority, the state would delegate its responsibility to local officials, making our local department a one-stop shop for both state and local reviews and inspections. This does not change code in any manner or remove checks and balances currently in place. It would make the process more efficient. This request for support to seek Delegated Authority is for a one-year pilot program. The State Fire Marshal allows us to have Delegated Authority and give it up whenever we choose. Brad explained that we issue violations and occasionally have to take parts of a business out of service for the time needed for repairs, but we do not shut down an entire business. There is a due process in place, which is the Board of Appeals. The Board of Appeals makes a decision and can make recommendations to council on any code changes. Shawn Metcalf stated that he will send the Fire Department's internal procedures to the City Council in this Friday's update. Shawn Metcalf stated that a way to track customer/contractor satisfaction over the year ahead would be through surveys. Brad Starling stated that working with code enforcement, there is a perception that we are trying to hurt businesses. He explained that the city has adopted an international series of codes. The International Code is a family of codes working together, which includes the IFC (International Fire Code). The state adopted the NFPA (National Fire Protection Association) and we cannot control that. He is confident if we continue doing what we are doing now, we will be able to keep up with delegated authority with the staffing level currently in place. Roll Call: Ayes: Jeniffer Beahm, Butch Eley, Joy Huffaker, Shawn Hartmann, Matt Fong. Nays: Steve Huntley, Brad Consbruck, Marc Rowan. Absent: None. The motion carried.

(d) Moved by Matt Fong seconded by Shawn Hartmann to approve the City of Hastings' new Strategic Plan. Shawn Metcalf spoke to this item. The City Council created a Strategic Planning Advisory Committee (SPAC) to better understand community priorities. The City also administered an annual Community Survey. SPAC analyzed the data from the focus groups and community survey and provided a recommendation to City Council on the areas the community wants City Council to focus on. City Council and Department Heads met together with a consultant to review the recommendations of SPAC and to perform their own strategic planning session. City Council validated the findings of SPAC and added some additional content. The proposed vision statement is: "Hastings is the most welcoming and desirable place to live, visit, and invest, where all people enjoy a high quality of life in a sustainable and innovative community." At the last work session, a new mission statement was proposed: "Creating a community that people are proud to call home." The group discussed that the plan is a living document and guides items for the future. The Strategic Plan will be incorporated into the budget process each year by identifying projects tied to the initiatives. The proposed directives include: Communication & Engagement, Economic Development & Housing, and Performance & Innovation. To consistently measure progress, it is recommended that the Community Survey be sent out annually. 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) Moved by Shawn Hartmann seconded by Steve Huntley to approve Resolution No. 2024-33 to request assistance from South Central Economic Development District, Inc. (SCEDD) in the completion of a Community Development Block Grant Application for a 2024 Public Works - Facilities Grant Application to support the Revive, Inc. Substances Abuse Rehabilitation Facility Chad Burger introduced this item. Revive, Inc. has proposed to renovate the existing building at 2205 East Osborne Drive to create a continuum of care facility for substance abuse rehabilitation. To assist with the facilities improvements, they are seeking a partnership with the City to submit an application to the Nebraska Department of Economic Development for 2024 Community Development Block Grant(CDBG) - Public Works Facilities funding. The City would like to use the

services of the South Central Economic Development District, Inc. (SCEDD) to create the required application. A resolution is required to authorize SCEDD to proceed with the application creation on the City's behalf.

He turned over the discussion to Kristine Kasperbauer, Executive Director of Revive, Inc. Revive purchased the old Motel 6 a few weeks ago and they are looking to renovate the facility. They were approached last November and asked if Revive would take the initiative to open a substance abuse treatment detox, and short-term facility in Hastings. There are wait lists across Nebraska for substance abuse and mental health treatment. We are in Region 3, which includes twenty-two counties. We would have the ability to treat people throughout Nebraska. The facility would be a full continuum and comprehensive treatment center. Lori Ferguson, South Central Economic Development District (SCEDD) is assisting with the grant preparation. These funds would come from the Community Development Block Grant program. The federal source is Housing and Urban Development, funneled down as an appropriation to the Department of Economic Development. Currently, the maximum amount to apply for is up to \$400,000, a 30% match is required. Kristine explained that funding without the grant would be tight, but they would continue to move forward with community, regional, and state support. There are multiple phases to their facility project. They are working with the city to get the building up to code. If the grant application is approved and funded, the funds will be passed through to the development project. Any required matching funds for the grant will be provided by Revive, Inc. If funded, it is the intent that SCEDD will administer the grant. 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.
None.

8. Miscellaneous and Other Business.
None.

Moved by Butch Eley seconded by Steve Huntley there being no further business to come before the council to adjourn at 7:07 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)