

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, September 9, 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 September 9, 2024.

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

The following City Officials were present: Assistant City Administrator, Mark Funkey; City Attorney, Jesse Oswald; Utility Manager, Derek Zeisler; Assistant City Clerk, Lori Vorderstrasse; Police Chief, Adam Story; Assistant Fire Chief, Troy Vorderstrasse; 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; Director of Human Resources, Lori Hartman; Museum Director, Teresa Kreutzer-Hodson; Public Information Manager, Tony Herrman; Safety Director, Trent Clark, Director of Environmental, Marty Stange, Utility IT Manager, Kirk Layton, Airport Manager, Matt Kuhr.

Moved by Butch Eley seconded by Shawn Hartmann to adopt current agenda for September 9, 2024, Regular Meeting. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, September 6, 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 Rowan commented on the Hastings Airport.

CITIZEN COMMUNICATIONS:

Budget: Peg Wallace, 2825 N. Columbine.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked Mark Funkey for stepping into the Acting City Administrator role until further notice.

Mayor Stutte recognized service anniversaries for Janet Lennemann, Business Office, 20; Clint Nunnenkamp, Utility, 25; James Black, Utility, 25; Bradley Cunningham, Police, 10; Jodi Erickson, Fire, 5; Stephen Menchaca, Fire, 5; Justin Urlacher, Fire, 5; Clifford Hohlfeld, Utility, 15; Timothy Williams, Utility, 10.

CONSENT AGENDA:

1. All Consent Items.

Moved by Matt Fong seconded by Brad Consbruck 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. The motion carried.

(a) Approval of the minutes of the Council Meeting of August 26, 2024

- (b) Approval of the minutes of the Worksession of August 19, 2024
- (c) Approval of claims and payroll
- (d) Approval of the request of THOAR to utilize city property for the First Street Block Party event on October 10, 2024
- (e) Approval of the request of Steeple Brewing Company, LLC dba Steeple Brewing for a Special Designated Liquor License for the First Street Block Party event on 1st Street between Lincoln Avenue and Hastings Avenue on October 10, 2024
- (f) Approval of the request of Our Little Angels to utilize city property for the Our Little Angels 5k Remembrance Run on October 12, 2024
- (g) Approval of Work Order EL-279, additional fencing at Don Henry to separate the power plant from the distribution substation
- (h) Approval of Work Order SW-373, new site security devices and cameras at Pollution Control Facility at 2120 East 26th Street
- (i) Approval of Work Order EL-289, new underground power lines, padmount switch and padmount transformers for the new remodel and addition work being done for WR Reserve at 1009 "M" Street
- (j) Approval of Work Order EL-290, installation of a three-phase underground electric line and padmount transformer for the new sewer lift station on the southwest corner of Technical Boulevard and Academic Drive at Central Community College
- (k) Approval of Work Order EL-292, installation of a new three-phase overhead transformer bank for a new laundromat at 610 South Burlington Avenue
- (l) Approval of Work Order EL-293, reroute of existing underground power lines and padmount cabinets for new Hastings College dorm north of 9th Street west of Pine Knoll Road

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the application of George J. J. Beckby dba "Bullseye Bar & Grill, LLC" for a Class "C" Liquor License (Beer, Wine, Spirits, On and Off Sale) at 2017 W. Second Street. Police Chief Adam Story stated that no issues were found and he recommend approval. No public spoke.

Moved by Shawn Hartmann seconded by Brad Consbruck to approve Resolution No. 2024-54 approving the application of George J. J. Beckby dba "Bullseye Bar & Grill, LLC" for a Class "C" Liquor License at 2017 W. Second Street. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(b) Moved by Matt Fong seconded by Brad Consbruck to approve the manager application of George J. J. Beckby in connection with the Class "C" Liquor License of George J. J. Beckby dba "Bullseye Bar & Grill, LLC" located at 2017 W. Second Street. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(c) Public hearing on the request of the Community Redevelopment Authority regarding Plan Modification No. 2024-5 to Redevelopment Area #1 for the Magee Corner, L.L.C. Redevelopment Project, generally located to the northwest of the intersection of West 2nd Street and North Hastings Avenue in the City of Hastings.

Chad Bunger, Development Services Director, stated this application is regarding two lots in downtown Hastings that were involved in a fire in 2022 which caused the Bert's Pharmacy building to be removed. He indicated the owners are looking to redevelop the property back to a functional building that is an asset to downtown and the community. Mr. Bunger reviewed the site plan and indicated there was a proposal for two commercial spaces and two residential spaces with a \$1.7 million total project cost. He indicated there were several different funding sources available, including TIF funding as it is an ideal source of funding for the project. The project would not be economically feasible without the use of TIF funding. Mr. Bunger stated that staff and the Planning Commission recommended approval of this item to the City Council.

Citizen Input For: Randy Chick, Community Redevelopment Authority (CRA) Director, mentioned the levy dollars used in this project. The Community Redevelopment Authority acquired the lot and worked with the adjacent property owner to get the building repaired and back in service. Vance Behrens, Lincoln, Nebraska, was there on behalf of his wife and brother-in-law, owners of the building. He indicated if it was economically feasible it would have been cleaned up two years ago and stated that the only other alternative was to take the building down, but they would rather it be an asset to the community.

Citizen Input Against: Mike Anderson, 1405 S. Baltimore Avenue

Citizen Input Either Way: None.

Moved by Butch Eley seconded by Shawn Hartmann to approve Resolution No. 2024-55 for Plan Modification No. 2024-5 to Redevelopment Area #1 for the Magee Corner, L.L.C.

Redevelopment Project generally located to the northwest of the intersection of W. 2nd Street and N. Hastings Avenue in the City of Hastings. Councilmember Rowan asked about the tax dollars being brought in by the property. Mr. Bunger stated it was likely the City would proceed with condemning the building and putting a lien on the property and he wanted the Council to understand it would not be a simple or cheap demolition project as most downtown buildings are interconnected, so the cost would be expensive for the City. Mr. Bunger indicated that TIF is a force multiplier and its about all the other taxes that come with that finished project.

Councilmember Fong thanked City staff as well as the CRA for their work and thanked the owners for their dedication to the community and continuing to invest in the community.

Councilmember Huntley asked about the timeframe for construction. Mr. Bunger indicated a start time of this fall with completion in a year to 18 months as the owners are committed to getting started. Councilmember Eley stated he felt this is a good example of Hastings investing in Hastings' future. Councilmember Hartmann stated he felt it was great to be putting back into the community and the City needs to help as much as they can. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(d) Public hearing on the request of Jeffery Schutt to change zoning from R-1, Urban Single-Family Residential District to C-1, Local Business District for property generally located approximately 350 feet north of the intersection of Cardinal Lane and South Shore Drive.

Mr. Bunger spoke regarding the rezone of the vacant ground north of Cardinal Lane. He indicated it is an extremely challenging property to develop due to access, flood plain, location of sanitary sewer and the impact on the Lake Hastings dam. He stated the lot is roughly .72 acres with the flood plain being a significant factor as well as the impact from the Lake Hastings dam. He indicated it is being requested to rezone the property to C-1, Local Business District. He stated that they have not indicated the use for the property but the name on the application references a liquor store. He stated the site is compatible with the existing zoning district, the site generally conforms to the Comprehensive Plan, the land was platted and zoned to its current state in 2015, water, electric, and gas are adjacent to the site and although sanitary sewer is a significant issue with 400 feet of private sewer line needing to be installed to the

nearest sewer main, it is possible. He indicated that access to the site is possible from Osborne Drive West but it does need to meet Fire Department access. City staff recommended approval of the request for a change of zoning and the Planning Commission recommended approval as well.

Citizen Input for: None.

Citizen Input Against: Michael Johnson, 406 South Shore Drive, Rod Sorensen, 420 South Shore Drive, Carolyn Sorensen, 420 South Shore Drive, Jody Fagemeyer, 409 South Shore Drive

Citizen Input Either Way: None.

ORDINANCE NO. 4770 AMENDING THE ZONING DISTRICT MAP TO CHANGE ZONING FROM R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-1, LOCAL BUSINESS DISTRICT FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 350 FEET NORTH OF THE INTERSECTION OF CARDINAL LANE AND SOUTH SHORE DRIVE.

Said Ordinance was read by title and thereafter Councilmember Shawn Hartmann moved for passage of the ordinance, which motion was seconded by Councilmember Matt Fong. Councilmember Eley stated he was not concerned with what the business is, but agreed it is a residential and recreation area and he didn't see the reason to change that R-1 designation to put a business on the lot, and he indicated he would be voting no. Councilmember Fong asked if this is the end of property available for public acquisition and if there was any other property that could be acquired. Mr. Bunger indicated it is the end of property available and there is no other property. Councilmember Fong asked how long the property has been available for sale. Mr. Bunger stated it has always been for sale but it has been in its current configuration since 2015. Councilmember Consbruck agreed with Councilmember Eley and felt the area could be better served as a beachfront for the lake rather than a business and asked what the possibility was of the City turning it into another beach spot for the lake. Mr. Bunger stated that it was a possibility but the City would have to acquire the land and if it was up to him, he would have the City own it because of the impact on the dam. Councilmember Beahm questioned the flood plain and the grading and the future of Lake Hastings and stated she felt it would be a safer bet to look at ways to protect the end of the lake rather than to develop it. Councilmember Hartmann stated he was not for or against this location but a half mile away there is a convenience store that sells liquor and the bike path runs right by it so if we are going to deny this request, we need to make sure we are consistent when we make decisions like this in all fairness. He also indicated he agreed with Councilmember Beahm that the City could be better served with control of the lot but that isn't the issue being brought up now. Mayor Stutte stated that to be clear, the motion is about zoning, R-1 to C-1, and should it be zoned commercial or not. Councilmember Consbruck stated he felt the area should remain residential. Councilmember Rowan indicated that the integrity of the dam is of great importance and he is not in favor of making it commercial. Roll Call: Ayes: Shawn Hartmann. Nays: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Matt Fong. The motion failed.

4. General Business.

(a) Moved by Butch Eley seconded by Matt Fong to approve the City of Hastings, Nebraska 2024-2025 fiscal year salary schedule. Mr. Funkey explained that this is the salary schedule that allows the City to fill all positions, no new head count to the salary schedule has been added and he recommended approval. Councilmember Huntley asked if this was a comparability year. Mr. Funkey indicated it was. Councilmember Consbruck asked if all the positions were in the middle of their comparable groups. Lori Hartman, Director of Human Resources, explained they were at mid-point. Councilmember Huntley asked that comparability be explained and why the City uses it. Ms. Hartman explained that in Nebraska,

public employees are not allowed to strike, so in exchange for that they are guaranteed comparability, which is a wage survey where wages for a position in our City are measured against other cities in our array with a 70% match of job duties and they must have three matches or be aligned with something that is similar in roles and responsibilities if there aren't three matches. She stated that the City retains a consultant out of Lincoln who does the comparability study every three years. Jesse Oswald, City Attorney, emphasized that the job title has nothing to do with how one job is compared to another, it is based on the duties of that job. Mayor Stutte stated that comparability is the law of the state. Councilmember Huntley asked if the comparability also included benefits. Mr. Funkey indicated that was correct. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(b) Moved by Matt Fong seconded by Shawn Hartmann to approve the wage addendum to Fraternal Order of Police Lodge 9 collective bargaining agreement for fiscal year October 1, 2024, through September 30, 2025. Mr. Funkey stated they went through a series of negotiations with the Fraternal Order of Police and the final agreement is before Council. He indicated they looked at retention and recruiting and he believes that this agreement meets all of those needs and recommended approval. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(c) Moved by Shawn Hartmann seconded by Butch Eley to approve the wage addendum to Hastings Firefighters Association Local Union 675, IAFF, AFL-CIO Collective Bargaining Agreement for Fiscal Year October 1, 2024 through September 30, 2025. Mr. Funkey stated he misspoke on the prior Police item. He indicated this is the wage approval for the Hastings Firefighters Association. He indicated they had multiple rounds of negotiations to align things and the wage part of both agreements is also defined by comparability and approval is recommended. Councilmember Rowan asked who made up the bargaining team. Mr. Funkey indicated it was made up of individuals from the Police and/or Fire Departments as well as Human Resources, Administration and the City Attorney. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(d) Moved by Jeniffer Beahm seconded by Butch Eley to approve the Hastings Area Chamber of Commerce Funding Agreement. Shannon Laundauer, Executive Director Hastings Area Chamber of Commerce/HEDC, thanked Council for supporting the efforts of the Chamber of Commerce again this year. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(e) Moved by Butch Eley seconded by Matt Fong to approve Hastings Economic Development Corporation Funding Agreement. Ms. Landauer thanked Council for past support and stated they can't do what they do without the work of City staff and Council support. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(f) Moved by Shawn Hartmann seconded by Matt Fong to approve authorizing 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. Mr. Nash indicated this is an annual obligation to the EPA. It is required that the Letter of Credit to be kept on file in case the EPA needs to come back to town to do additional testing or work on the site so they are assured that there are funds available for the continued work. He indicated the amount of the

Letter of Credit is evaluated by the EPA annually and he recommended approval. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(g) Moved by Matt Fong seconded by Shawn Hartmann to approve the final plat of Skye Loch 18th Subdivision. Mr. Bunger stated they are taking two vacant lots to create six single family lots. He indicated staff and the Planning Commission recommended approval. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(h) Moved by Shawn Hartman seconded by Steve Huntley to approve the International Association of Firefighters Local 675 Collective Bargaining Agreement for Fiscal Year 2024-2025 / Fiscal Year 2025-2026 / Fiscal Year 2026-2027. Mr. Funkey indicated the agreement before them was the final negotiation with the Firefighters Association. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(i) Moved by Shawn Hartmann seconded by Steve Huntley to approve the Fraternal Order of Police Lodge 9 Collective Bargaining Agreement for Fiscal Year 2024-2025 / Fiscal Year 2025-2026 / Fiscal Year 2026-2027. Councilmember Eley questioned the change in the retention bonus. Josh Fink, President of the Police Union, stated they increased it to one and a half from what it is currently for the next three years. Councilmember Eley asked about the hiring bonuses. Mr. Fink stated the hiring bonuses were not added to the contract and that still stays the same as what was initially approved by the City Council. Councilmember Eley stated he thought they had talked about raising the hiring bonuses. Mr. Funkey indicated they did talk about raising both but chose to add a night shift differential pay and some specialty pay to help encourage new officers and to help retain. He indicated that the reason they didn't increase the hiring bonuses was because they were trying to be cognizant of the budget constraints the City was facing. Councilmember Huntley asked if the Police Union was 100% in favor of the agreement. Mr. Fink indicated they were. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4771 ADOPTING THE ANNUAL APPROPRIATION BILL FOR THE CITY OF HASTINGS AND ADOPTING APPROPRIATE SUMS FOR THE NECESSARY EXPENSES AND LIABILITY FOR THE FISCAL YEAR 2024-2025.

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance on first reading only, which motion was seconded by Councilmember Matt Fong. Mr. Nash indicated that this ordinance approves all appropriations for the next fiscal year of 2024-25 in the amount of \$212,602,171.00 as well as the tax asking for the General Fund, Museum Fund, Debt Service Fund and Community Redevelopment Authority for a total tax asking of \$9,002,124.43. Councilmember Huntley asked if the ordinance is passed on first reading, can it still be amended on second and final reading. Mr. Oswald clarified that it could be amended on first and second readings but not on the third reading. Councilmember Huntley asked if they can't amend, would they have to do it by some other method. Mr. Oswald stated that motions can be withdrawn or the ordinance can be voted down and fail and then at that point, Council would be able to make a new motion for ordinance approval with the amendments. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(b) Moved by Matt Fong seconded by Shawn Hartmann to approve Resolution No. 2024-56 adopting property tax request at a different amount for fiscal year 2024-2025. Mr. Nash indicated this resolution spells out the tax asking and compares it to the tax asking for last year and also compares the levy change. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(c) Moved by Butch Eley seconded by Steve Huntley to approve Resolution No. 2024-58 adopting 2024-2025 Annual Fee Resolution. Mr. Funkey stated that the resolution shows all current and changed fees for the upcoming budget year and he recommends approval. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(d) ORDINANCE NO. 4774 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR ELECTRIC SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA.

Said Ordinance was read by title and thereafter Councilmember Shawn Hartmann moved for passage of the ordinance, which motion was seconded by Councilmember Matt Fong. Derek Zeisler, Utility Manager, stated this ordinance reflects the Electric Cost of Service Study. He did want to advise Council that the rates will go into effect on October 1, 2024 if Council chooses to suspend the rules and pass Ordinance No. 4774 on second and final reading. If rules are not suspended, second reading will need to be amended to state rates will go into effect October 8, 2024 in order to allow for the required waiting period of 15 days after final passage. Mayor Stutte confirmed that it would be cleaner if they were able to get through all the readings tonight. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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.

(e) ORDINANCE NO. 4775 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR SEWER SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA.

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. Mr. Zeisler indicated the sewer rate change was due to the City no longer collecting a PILOT fee for sewer so rates have been adjusted accordingly. He mentioned that this ordinance and the prior one, have been vetted by the Utility Advisory Board and they have recommended approval. He stated that this ordinance would fall under the same caveat as the first ordinance regarding the effective date depending on suspension of rules. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

Councilmember Shawn Hartmann moved that the statutory rule requiring reading on three different days be suspended; Councilmember Matt Fong seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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.

(f) ORDINANCE NO. 4776 TO PROVIDE MODIFICATION OF MONTHLY BILLING FOR WATER SERVICE AND RATES FOR THE CITY OF HASTINGS, NEBRASKA.

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance, which motion was seconded by Councilmember Shawn Hartmann. Mr. Zeisler stated this ordinance is a continuation of changing only the infrastructure charge. He also indicated it was recommended for approval by the Utility Advisory Board and falls under the same caveat for the October 1st effective date. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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) ORDINANCE NO. 4777 AMENDING THE RATE RIDER FOR CUSTOMERS RECEIVING ELECTRICITY FROM THE HASTINGS COMMUNITY SOLAR FARM.

Said Ordinance was read by title and thereafter Councilmember Shawn Hartmann moved for passage of the ordinance, which motion was seconded by Councilmember Matt Fong. Mr. Zeisler indicated there are two numbers in the contracts that will be adjusted yearly with one being the power credit and the other being the cost of the panel. He stated that he as well as the Utility Advisory Board recommended approve. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

Councilmember Shawn Hartmann moved that the statutory rule requiring reading on three different days be suspended; Councilmember Matt Fong seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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.

(h) ORDINANCE NO. 4773 CREATING SANITARY SEWER CONNECTION DISTRICT NO. 2024-1.

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance, which motion was seconded by Councilmember Shawn Hartmann. Lee Vrooman, City Engineer, stated this ordinance will create a Sanitary Sewer Connection District for the Lochland Meadows Number 17 Subdivision. This project will extend a new main sewer west, from the existing manhole at the south end of Osborne Drive West, into and through the Lochland Meadows Number 17 Subdivision. Notice of district creation will be sent out to property owners in the district. He stated this is a connection district because there are properties both inside and outside the city limits. The payment in a connection district is a one-time lump sum payment when the property connects to sewer. Mr. Vrooman recommended

approval. Councilmember Huntley asked if the district was petitioned in. Mr. Vrooman indicated that the developer asked for it. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

Councilmember Shawn Hartmann moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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.

(i) Moved by Shawn Hartmann seconded by Jeniffer Beahm to approve Resolution No. 2024–57 approving the plans, specifications and authorization to advertise for bids for Lochland Meadows 17th Addition Sewer Main, Sanitary Sewer Connection District No. 2024-1. Mr. Vrooman indicated the plans and specifications for Sanitary Sewer Connection District 2024-1, Lochland Meadows 17th Addition, have been completed and are included in the packet. The bid opening date for this work will be October 2, 2024, with an award date of October 14, 2024. The plans and specifications are being brought before the Council because the project is part of a district. He recommended approval. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

(j) ORDINANCE NO. 4772 VACATING CHARLOTTE DRIVE SOUTH OF MADDEN ROAD.

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance, which motion was seconded by Councilmember Steve Huntley. Mr. Vrooman stated that this would vacate all of Charlotte Drive south of Madden Road in conjunction with the final plat for Skye Loch 18th Subdivision. Staff has reviewed this request and finds it acceptable. Street connections to the property to the south still exist west of Madden Court and at Highland Drive. Mr. Vrooman recommended approval. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: 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.

6. Final Passage of Ordinances.

(a) ORDINANCE NO. 4769 EXTENDING THE BOUNDARIES AND INCLUDING WITHIN THE CORPORATE LIMITS OF AND ANNEXING TO THE CITY OF HASTINGS CERTAIN CONTIGUOUS AND ADJACENT LANDS OUTSIDE THE CITY OF HASTINGS, LOCHLAND MEADOWS SUBDIVISION NUMBER 17.

Said Ordinance was read by title and thereafter Councilmember Shawn Hartmann moved for passage of Ordinance No. 4769 on final reading, which motion was seconded by Councilmember Butch Eley. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck,

Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

7. Appointments.

(a) Moved by Butch Eley seconded by Matt Fong to approve the Mayor's reappointment of Jeanette Dewalt to the Utility Advisory Board for term to expire September 9, 2029. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

8. Miscellaneous and Other Business.

None.

9. Possible Closed Session (if necessary or requested).

None.

Moved by Steve Huntley seconded by Jeniffer Beahm there being no further business to come before the Council, the meeting was adjourned at 7:44 p.m. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Lori Vorderstrasse, Assistant City Clerk

(S E A L)