

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, April 28, 2025

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 April 28, 2025.

Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, April 25, 2025. 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.

The meeting was called to order at 6:00 p.m. in Regular Session by Mayor Beckby with the following members present: Larry Consbruck, Michael Anderson, Brad Consbruck, Steve Huntley, Marc Rowan, Maggie Esch, Matt Fong, Brian Hoffman. Absent: None. The following City Officials were present: City Attorney, Jesse Oswald; City Clerk, Tyler Ficken; Police Chief, Adam Story; Fire Chief, Troy Vorderstrasse; Parks & Recreation Director, Jeff Hassenstab; Utility Manager, Derek Zeisler; Information Technology Director, Erik Nielsen; Director of Engineering, Lee Vrooman; Director of Human Resources, Lori Hartman; Director of Finance/City Treasurer, Roger Nash; Environmental Director, Marty Stange; Safety Director, Trent Clark; Information Technology, Kirk Layton.

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

Moved by Brad Consbruck seconded by Steve Huntley Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Absent: None. The motion carried to adopt the current agenda for the April 28, 2025, Regular Meeting.

COUNCIL COMMUNICATION:

Councilmember Rowan reported on the Museum Board Meeting and informed the community about museum rental opportunities; there are a lot of exciting exhibits there. Councilmember Hoffman thanked the City Administration for the two months of budget meetings with departments. Councilmember Fong reported that the library search for a director has concluded and has identified a director to be considered by the Council at the May 12, 2025 Council Meeting. Council Member Esch congratulated Hastings on the

Community Showcase Award from the Governor, which was received by Mayor Beckby on behalf of the community, and additionally congratulated the City leadership, Hastings Economic Development Corporation, Chamber of Commerce and all who were involved in making it possible. Councilmember Huntley asked Lori Hartmann to provide a report on the Chamber of Commerce quarterly meeting. Lori Hartman provided that Chamber of Commerce Executive Director Shannon Landauer provided an update on her trip to Washington D.C. where she and others met to discuss funding for two Hastings projects, including airport lighting and The Good Life is Calling campaign. The Community Showcase Award was also discussed. Councilmember Anderson thanked those who protect the community for the right to have discussion, to come together and thanked the citizens in attendance. Councilmember L. Consbruck thanked the department heads for the discussion on the budgets; it has been helpful. Mayor Beckby thanked those who worked the past few years for the work that allowed the community to receive the Community Showcase Award.

CITIZEN COMMUNICATIONS:

Community members discussed item 5(d) on the agenda. Those speaking in favor included: Stephanie Shade, Chris Shade, Richard French, Deb Carlstrom, Alton Jackson, Matt Sass, John Walz, Josh Walz, Edward Krantz, Robert Lemke, Craig Hubbard, Karren Carnes, Rich Wilton; those who opposed: Moses Rhodes, Andrew McCarty, David Lovekin, Charles Maunder, Debby Thompson, Nancy Johnson, Ben Hanne, Lynn Zeleski, Sam Zeleski, Tamisha Osgood.

Darren Fowler provided information regarding the event that the Tribune will be holding with the participation of the Special Designated License requestor for item 1(e).

MAYOR'S COMMUNICATIONS:

Mayor Beckby thanked Chad Bunger for his work bringing development to the community and expressed his hope to replace him adequately.

CONSENT AGENDA:

1. All Consent Items.

Moved by Steve Huntley seconded by Matt Fong to approve all consent items excepting items (e) as presented. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried.

- (a) Approval of the minutes of the Council Meeting of April 14, 2025
- (b) Approval of claims and payroll except the claim of Vaughan's Printing

(c) Approval of Work Order EL-306, installation of a three-phase underground electric line and padmount transformer for service to the new Dorm "1882" at Hastings College north of 9th Street, east of Ash Avenue

(d) Approval of Work Order SW-379, Hastings Aquacourt backflush discharge de-chlorination and discharge pumping

(e) Approval of the request of No Coast Brewing, LLC dba First Street Brewing Company for a Special Designated Liquor License for an outdoor concert event at Brickyard Park on June 13, 2025. Moved by Matt Fong seconded by Brian Hoffman to approve the request of No Coast Brewing, LLC dba First Street Brewing Company for a Special Designated Liquor License for an outdoor concert event at Brickyard Park on June 13, 2025. Councilmember Huntley expressed his concern regarding the size of the venue at twenty-seven acres and how alcohol will be controlled. Councilmember Hoffman provided that those who are twenty-one years old and drinking would wear wristbands and use distinctive cups for alcohol. Councilmember Anderson expressed his concern that an adult could pass an alcoholic drink to a minor in the large venue. Councilmember Hoffman provided that procuring alcohol for a minor is illegal. Councilmember Esch stated that a portion of the park could be designated for alcohol. Council Member Huntley asked Darran Fowler to speak on the issue. Darran Fowler provided that he does not know the ins and outs of the licensing process, but the provider does, and it is not the first time for this activity in this space. The provider is aware of how to police and manage the event and is willing to work with the Council. Moved by Steve Huntley seconded by Larry Consbruck to table the request of No Coast Brewing, LLC dba First Street Brewing Company for a Special Designated Liquor License for an outdoor concert event at Brickyard Park on June 13, 2025. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried.

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

(a) Ordinance No. 4793 revising all the ordinances of the City of Hastings. Moved by Matt Fong seconded by Brad Consbruck to take from the table Ordinance No. 4793 revising all ordinances of the City of Hastings. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried. Moved by Maggie Esch seconded by Steve Huntley to approve Ordinance No. 4793 revising all ordinances of the City of Hastings. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. Matt Fong moved that the statutory rule requiring reading on three different days be suspended; Brian

Hoffman seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. 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.

3. Public Hearings.

None.

4. General Business.

(a) Approval of the claim of Vaughan's Printing in the amount of \$425.00. Moved by Matt Fong seconded by Larry Consbruck to approve the claim of Vaughan's Printing in the amount of \$425.00. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Abstain: Esch. Absent: None. The motion carried.

(b) Approval of a request for a contract extension to June 30, 2026, for the Community Development Block Grant contract 21-DTR-007, Downtown Revitalization. Moved by Steve Huntley seconded by Maggie Esch to approve request for a contract extension to June 30, 2026, for the Community Development Block Grant contract 21-DTR-007, Downtown Revitalization. Community Redevelopment Director, Randy Chick stated that this extension is for improvement to the former PACHA Soap and Big G building at 405 W. 2nd Street. The State Historic office is in the process of plan approval and the Community Redevelopment Authority has received feedback for changes; re-submission takes approximately three weeks. The hope is that approval is granted so that construction can begin in the summer. The contract end date for the project is June 26, 2025, and there is a need to extend the date to accommodate the process for twelve months. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried.

(c) Approval of the agreement with The Diamond Engineering Co. for the Lochland Meadows 17th Sub-Division Water and Paving Project. Moved by Matt Fong seconded by Maggie Esch to approve the agreement with The Diamond Engineering Co. for the Lochland Meadows 17th Sub-Division Water and Paving Project in the amount of \$895,480.78. Engineering Director, Lee Vrooman reported that bids were opened on April 16, 2025 for Lochland Meadows 17th Subdivision Water and Paving Project. Three bids were received with The Diamond Engineering Company being the low bidder at \$895,480.78. Diamond

Engineering is currently installing sewer main for this development. The water and paving are for the districts created by the Council on March 10, 2025. The Engineer's estimate for the entire project was \$1,140,234. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried.

(d) Approval of Bradley Beck's permit to occupy or use a portion of the City Street right-of-way. Moved by Matt Fong seconded by Maggie Esch to approve Bradley Beck's permit to occupy or use a portion of the City Street right-of-way. City Attorney Jesse Oswald reported that the adjacent property owner desires to maintain the right-of-way; the City has no plans to create the street currently, and the City maintains the ability to remove items in the future if necessary at the adjacent property owner's cost. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried.

5. Ordinances and Resolutions.

(a) Ordinance No. 4794 vacating the entire 14' alley adjacent to Lots 1 through 7 of Block 2, Taggart Addition in Hastings, Nebraska. Moved by Brian Hoffman seconded by Larry Consbruck to approve Ordinance No. 4794 vacating the entire 14' alley adjacent to Lots 1 through 7 of Block 2 Taggart Addition in Hastings, Nebraska. Director of Engineering, Lee Vrooman reported that the alley runs north/south, east of Kansas Ave and south of 19th Street. Staff have reviewed the request for vacating the alley and have no issues with doing so. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried. Said Ordinance was read by title and thereafter Councilmember Brian Hoffman moved for passage of the ordinance, which motion was seconded by Councilmember Larry Consbruck. Matt Fong moved that the statutory rule requiring reading on three different days be suspended; Brian Hoffman seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. 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.

(b) Ordinance No. 4795 authorizing the conveyance of the entire 14' alley adjacent to Lots 1 through 7 of Block 2, Taggart Addition in Hastings, Nebraska. Moved by Brian Hoffman seconded by Maggie Esch to approve Ordinance No. 4795 authorizing the

conveyance of the entire 14' alley adjacent to Lots 1 through 7 of Block 2 Taggart Addition in Hastings, Nebraska. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried. Matt Fong moved that the statutory rule requiring reading on three different days be suspended; Brian Hoffman seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. 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.

(c) Ordinance No. 4797 authorizing the sale of City property located at 2608 W. 6th Street to Hastings Area Habitat for Humanity and delivering a quitclaim deed to the property. Moved by Larry Consbruck seconded by Brad Consbruck to approve Ordinance No. 4797 authorizing the sale of City property located at 2608 W. 6th Street to Hastings Area Habitat for Humanity and delivering a quitclaim deed to the property. City attorney, Jesse Oswald reported that the City would sell the property for the stated amount, and the Parks & Recreation Department would be removing a tree from the property. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried. Matt Fong moved that the statutory rule requiring reading on three different days be suspended; Steve Huntley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. 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.

(d) Resolution No. 2025-20 requiring certain City property that is open to the public to display the phrase "In God We Trust" and the City logo. Moved by Michael Anderson seconded by Larry Consbruck to approve Resolution No. 2025-20 requiring certain City properties to display the phrase "In God We Trust" and the City Logo. Councilmember B. Consbruck thanked the public for their comments. The item does not refer to a particular religion and is the motto of the United States, and he feels like it is a nice gesture. Councilmember L. Consbruck views this as an issue of patriotism and supports the item. Councilmember Hoffman thanked the crowd for their communications. The requests he

received were eighty percent in opposition to the measure, and he hopes those voices are considered in the Council's decision. His concerns are based on process, representation, fiscal responsibility and priorities during a difficult budget year. He stated that there could be more input from departments on installing, maintaining and repairing in the future, using the engage Hastings website, transparency and patience when changing public facilities. There are financial considerations that have not been addressed; there could be private donations, but public buildings are public responsibilities; hidden costs will fall onto the taxpayers. Councilmember Hoffman questioned the value of adding the signs to locations that don't receive a lot of foot traffic and questioned the use of taxpayer money; other phrases could be used, such as the Nebraska state motto Equality Before the Law or the image of an American Oak tree. Councilmember Esch had questions, including whether the motto had been displayed in any Hastings City buildings in the past? Does anyone have a cost for the proposal or know what it is going to look like? Councilmember B. Consbruck said that he envisioned a vinyl sticker similar to the courthouse that blends with the county seal and would keep costs low and offered to find the costs from the county. Councilmember Esch asked if there had been any formal written donations. Chris Shade provided that he had been contacted by several people willing to donate at the time when a similar action was proposed to the school district. Councilmember Esch stated that she would have liked for more people to be a part of the discussion; she received cordial comments from people in support and in opposition to the item, and she appreciated the input from the public. Councilmember Fong stated that he also appreciated the public participation in this topic. He stated that he would be opposing the adoption of the resolution for reasons of undermining the separation of church and state, religious liberty and opposing the government imposing a particular religious viewpoint or slogan. In God We Trust is the national motto, the public is aware and adoption of the resolution could divide the community. Councilmember Fong stated that his focus is on business growth, affordable housing, and a vibrant quality of life. He stated that it is unfortunate that the item was not discussed during a worksession, or on the engage Hastings page. Councilmember B. Consbruck stated that many items come to the City Council on the Thursday prior to a Monday Council Meeting; the Council received a lot of input today. Councilmember Fong stated that this is a specific item that had not been discussed at Council or Mayoral debates. This substantive change by some Council members deserves a different model for how to engage with the agenda process and sharing the information with the community. Councilmember Huntley stated that the Council needs to look at the agenda process and the way it works and revise it to add a work session before each meeting where the Council sets the agenda and not the staff and the Mayor. Councilmember Hoffman asked why the item was not brought to a prior worksession. Councilmember Anderson stated that not all items are brought to a

worksession; the item is not divisive; his opinion is that people have a choice to feel divided. People will not be left out because it is not what they feel. Councilmember Anderson stated that he would be voting yes, and thanked people for the courage to stand at the microphone; the City staff are respectful, the City staff are awesome, and the Council are great people. The idea is not to single people out; it is the motto of the nation, people recite the pledge of allegiance and it is not an issue. The information is put out there by the City, and it is the citizens who work to know what is going on in the government. Councilmember Huntley stated that in conversation with Councilmember Anderson it was unanimous that people in the first ward wanted this and he would vote yes. Councilmember Rowan stated that it takes guts to come forward with comments and urged people to come forward with their thoughts, email and call; it's wonderful to have citizens involved, and it will make the town united and strong. Councilmember Esch expressed her concerns regarding communication with the Council, which left open questions and that makes it hard; as a Councilmember, it's important to make informed decisions and under different circumstances, she could have made a different decision, but would vote no. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Marc Rowan. Nays: Maggie Esch, Brian Hoffman, Matt Fong. Absent: None. The motion carried.

6. Final Passage of Ordinances.

None.

7. Appointments.

(a) Appointments to Boards and Commissions. Moved by Matt Fong seconded by Maggie Esch to approve the appointment to Boards and Commissions. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried.

8. Miscellaneous and Other Business.

None.

9. Possible Closed Session

(a) Approval of the First Amendment to the Coal Supply Agreement between City of Hastings, Nebraska, dba Hastings Utilities and Peabody Coalsales, LLC. Moved by Matt Fong seconded by Maggie Esch to approve the First Amendment to the Coal Supply Agreement between City of Hastings and Peabody Coalsales, LLC. Utilities Manager, Derek Zeisler reported that negotiations with Peabody Coalsales, LLC began in January for extension of the current coal supply agreement; this is a favorable agreement for Hastings

and partners considering the market. The operating agreement with PPGA provides that Hastings will procure all fuel for PPGA which accounts for sixty percent of the agreement. The agreement has been reviewed by PPGA and they support it, in addition to the Utility Advisory Board which recommended approval. Councilmember L. Consbruck asked if the agreement was for a single year or multiple years. Utilities Manager, Derek Zeisler stated that the agreement would extend for an additional two years and aligns with the rail agreement. Moved by Steve Huntley seconded by Michael Anderson to go into executive session to discuss negotiations, proprietary information and trade secrets. Mayor Beckby stated that the pending motion is to go into executive session to discuss trade secrets, negotiations and proprietary information and for the further reason that the executive session is necessary for the protection of the public interest. Roll Call: Ayes: Larry Consbruck, Michael Anderson, Brad Consbruck, Steve Huntley, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried. Mayor Beckby stated that the motion to go into executive session to discuss trade secrets, negotiations and proprietary information and for the further reason that the executive session is necessary for the protection of the public interest has been approved. Discussion will be limited to discussing trade secrets, negotiations and proprietary information. No official actions or votes will be taken during the executive session. Staff included in the executive session are Utilities Manager, Derek Zeisler, City Administrator, Mark Funkey, and City Attorney, Jesse Oswald. Time in: 8:11 p.m. Moved by Matt Fong seconded by Steve Huntley to come out of the executive session where no official actions or votes were taken. Roll Call: Ayes: Larry Consbruck, Michael Anderson, Brad Consbruck, Steve Huntley, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried. Time out: 8:27 p.m. Mayor Beckby called for a vote on the initial pending motion. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. Absent: None. The motion carried.

Moved by Steve Huntley seconded by Larry Consbruck there being no further business before the Council to adjourn at 8:30 p.m. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Brian Hoffman, Matt Fong, Marc Rowan. Nays: None. Absent: None. The motion carried.

APPROVED:

George J.J. Beckby, Mayor

ATTEST:

Tyler Ficken, City Clerk

(S E A L)