

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL WORKSESSION
Monday, October 20, 2025

Pursuant to due call and notice thereof, a Worksession of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Municipal Airport, 3300 W. 12th Street, on October 20, 2025.

The Worksession was called to order at 5:30 p.m. by Council President Steve Huntley with the following members present: Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong.

City Officials Present: Mayor Jay Beckby, Jesse Oswald, Lori Vorderstrasse, Troy Vorderstrasse, Roger Nash, Jeff Hassenstab, Lee Vrooman, Teresa Kreutzer-Hodson, Tony Herrman, Lori Hartman, Derek Zeisler, Kevin Kubo, Kirk Layton, Trent Clark, Kelly Reisig.

Pledge of Allegiance.

Moved by Matt Fong seconded by Michael Anderson to adopt the current agenda for the October 20, 2025 City Council Worksession. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. The motion carried.

Official Notice of the Worksession was published in the Hastings Tribune on Friday, October 17, 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.

CITIZEN COMMUNICATIONS

None.

DISCUSSION ITEMS

Discussion of Restaurant Tax.

Jesse Oswald, City Attorney, began by referencing the proposed restaurant tax as a revenue source asked for by City Council during the budget process as one of the additional revenue sources that are available to help cover some of the ongoing City expenses. He indicated that staff was looking for direction as to if the Council is generally interested in pursuing a restaurant tax and if so, what percentage would they like to see in the restaurant tax ordinance moving forward. Mr. Oswald reviewed with Council a prepared table with estimated restaurant tax revenue by percentages for Hastings as well as area cities and their percentages and revenue collected.

Councilmember Fong questioned if the restaurant tax needed to go to any specific project or does it go to general operating expenses. Mr. Oswald indicated it doesn't have the restrictions that other revenue sources have, so it can go to the general fund to be spent as the Council would dictate through the budget process. It does have flexibility.

Council President Huntley asked Mayor Beckby what he has heard regarding the implementation of the restaurant tax. Mayor Beckby stated he has heard from some individuals

and they are not in favor of it but he indicated he wanted to do what was right for the City of Hastings. Councilmember Brad Consbruck stated that it really isn't costing the restaurant owners, it is coming from the people.

Council President Huntley questioned how we would know we are getting collection of the tax from the food trucks. Roger Nash, Finance Director, stated that the tax would be collected locally and that they would pay directly to the City monthly, quarterly, or however the Council chooses.

Councilmember Hoffman stated in speaking with a few bar owners, they indicated that over 60% of the people that come into their establishments are from outside of Hastings. He emphasized we are losing out on the revenue compared to other communities. He commented that he sees it as extra income and that it is a pass-through tax.

Councilmember Brad Consbruck questioned if had the restaurant tax been in place, would that have solved our budget issue this year. Mr. Oswald indicated it would have covered the reduction in the levy that the Council put in place, but we used \$2 million out of cash to balance the budget. He indicated the City of Hastings is still running in the red by \$2 million annually.

Councilmember Larry Consbruck asked if the citizens would vote on the implementation of a restaurant tax. Mr. Oswald stated that requirement has been removed and it does not have to go to a vote of the people.

Councilmember Anderson asked for a definition of snack and non-alcoholic beverage bars and asked if the museum, water park, fair and cafeterias would be included under the restaurant tax. Mr. Oswald indicated that the classifications were set by the state. He stated at a high level it would include prepared food.

Mr. Nash indicated that the net taxable sales numbers and the categories were all given to the City by the Nebraska Department of Revenue and stated they basically prepared the table. Mr. Oswald indicated that this is not a new concept and it is fairly easy to implement.

Councilmember Rowan stated he was interested in whether school concession stands and cafeterias are included. He said he is not excited about implementing a restaurant tax.

Councilmember Brad Consbruck stated he felt most of the school stuff would be tax-exempt but they would want to clarify those things. He said he felt they are missing out on a lot if we don't do it.

Councilmember Larry Consbruck stated he was not against it because it is a tax on someone who can afford to go out and enjoy a meal.

Councilmember Rowan questioned if you could specify where it goes. Mr. Oswald indicated during the budget process they could specify a project at that time, however, he emphasized to the Council that the City has a \$2 million shortfall currently, so he didn't know why you would allocate it to a particular project when current bills aren't being covered. Councilmember Fong suggested if they did want to allocate the restaurant tax to something specific, they could indicate the tax would offset a particular cost in the budget.

Councilmember Anderson was not interested in placing another tax on people.

Councilmember Esch stated she was initially against the restaurant tax but it is a luxury tax that affects those who are able to go out and eat regularly and knowing shortfalls and budget issues,

she stated she has changed her mind and would now be in favor of the tax. She also stated she would like a better understanding of the local businesses in our community that this would affect.

Councilmember Hoffman asked about the historical information on other communities as to whether there was a revenue drop after implementation of the tax and whether the state could provide that. He stated he was in favor of the tax and collecting it from people outside the community.

Councilmember Brad Consbruck stated in looking at what it can generate, it doesn't seem like you would be hurting the restaurants much.

Council President Huntley asked Council if they were okay with proceeding with the restaurant tax. Mr. Oswald indicated staff could put things together however quickly the Council would like to move forward. Council President Huntley directed staff to get the clarifications Council asked for and bring it back to them. Mr. Oswald indicated that the percentage is all that is left to be determined and that can be amended at the time the Council is considering the ordinance for approval. Council President Huntley asked about the startup time of the tax. Mr. Nash indicated there was not really a requirement as to how long restaurant owners would have to get set up for the tax but they would all have to get the tax programed into their systems so we would want to give them an adequate amount of time and we could look at other communities and see how long it took from approval to startup. He also indicated if it is prepared food that is subject to sales tax, it would be subject to restaurant tax.

Councilmember Esch encouraged citizens to reach out to Councilmembers regarding thoughts on the restaurant tax.

Councilmember Anderson suggested selecting the percentage tonight and then staff can move forward with that percentage. It was the consensus of the Council to begin with a 1% restaurant tax.

Mr. Oswald indicated consideration of the restaurant tax would be placed on a November agenda. Councilmember Hoffman stated he would like to see this percentage looked at on an annual basis.

Mr. Nash stated that a couple of points to keep in mind is that the 1% is enough to offset the reduction of the levy. The general fund is facing a shortfall going forward of \$2 to \$2.5 million, so this restaurant tax in no way solves the deficit issue and to specify it for anything other than offsetting the levy reduction that Council just passed would not help us accomplish the goal of balancing the general fund budget.

Discussion of ordinance regarding lightweight e-scooter, e-bike and hoverboard usage on public property.

Mr. Oswald reviewed with Council the following proposed ordinance changes: defining the business district, added definition of e-bike, added not being permitted on roadways greater than 25 miles per hour, operate on trails unless prohibited by signage and not in excess of 25 miles per hour and added that three or more in a group must proceed in single file so as to not impede others. Mr. Oswald stated that Mayor Beckby indicated he would like this on the next Council meeting agenda for a vote.

Councilmember Anderson suggested they require lights since some people ride to work on these vehicles. Mr. Oswald stated they can make that change but the reasoning they used for

not doing that was that ATV and UTV regulations regarding operation on roadways is during light hours only. Councilmember Anderson also felt that 25 mph on the trail is too fast and thought 15 mph would be better. He asked about driving them in the downtown area. Mr. Oswald explained they are excluded from being ridden in the business district which includes the downtown. Councilmember Brad Consbruck questioned if the only place they couldn't ride these vehicles on the sidewalk is in the downtown area. Mr. Oswald indicated that was correct. Councilmember Brad Consbruck also agreed the trail speed limit should be 15 mph max. Councilmember Larry Consbruck questioned the requirement of having lights after dark. Mr. Oswald stated that as it is currently written, there is no light requirement. Councilmember Larry Consbruck stated if ridden after dark, he felt they needed to have lights. Mr. Oswald stated they could prohibit operation after dark without lights. Councilmember Fong asked if the Police Department had influence on the document before Council. Mr. Oswald stated it was thoroughly vetted by the Police Department. Mayor Beckby indicated he felt the light component needed a front and rear light. Councilmember Hoffman suggested reflective material so the wrong kind of lights are not used. Councilmember Brad Consbruck suggested a reflective vest be worn. Mr. Oswald indicated that reflective material is an option but may be so small it would be hard to be seen. Councilmember Hoffman stated that the main concern is public safety but he felt it was just sad that they were not requiring kids to wear helmets. Mr. Oswald explained the concern with the helmet requirement was that they are hard to regulate, there is no helmet designed specifically for these types of motorized vehicles. He also stated the importance of educating through the schools and getting the information out on the traffic laws. Council President Huntley asked about the education component and getting the information out to parents and kids. Tony Herrman, Public Information Manager, indicated he would be happy to help promote the education on the new regulations.

Council President Huntley stated there being no further business to come before the Council, the meeting was adjourned at 7:03 p.m.