

COUNCIL CHAMBERS, MONDAY, APRIL 9, 2012 AT 7:00 P.M.

The meeting was called to order in regular session by Mayor Powers with the following members present: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel.
Absent: None.

Moved by Glen, seconded by Niemeyer that the Open Meetings Act is posted on the southeast wall of the City Council Chambers and that prior to this meeting a notice was placed in the Hastings Tribune on April 6, 2012, that notice was posted in three public places, that each Councilmember and Mayor received a copy of the proposed agenda and that an agenda for such meeting, kept continuously current, is available for public inspection and that said meeting is held in open session. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel. Nays: None. The motion carried.

CITIZEN COMMUNICATIONS: Elmer Murman of 1235 North Laird Avenue addressed the Mayor and Council in regard to Item 2(a) of the Regular Agenda, awarding contract for Project R-2012-1B. That contract is for a resurfacing project on Osborne Drive West from North Shore Drive to Burlington Avenue & South Shore Drive from Burlington Avenue to North Shore Drive. Mr. Murman stated he asked Joe Patterson, City Administrator, if this project was going to be assessed and he indicated no because it was an overlay project. Mr. Murman stated at the time the City paved South Shore Drive, many of the residents asked for an overlay, but indicated that that paving project could not be an overlay.

MAYOR'S COMMUNICATIONS: The Mayor read a proclamation proclaiming April 15th to 21st as National Volunteer Week.

Lynn Zeleski of the Hastings Museum presented to Andrea Towler, Pat Harpham, Ann Koozer and Michael Hock the President's Bronze Award for their volunteer work. Mrs. Zeleski also indicated that Merrill Crandell wasn't able to attend the meeting this evening, but he also would be receiving the President's Bronze Award and Agnes Anderson, also unable to attend the meeting, will be receiving the President's Silver Award.

The Mayor recognized Police Officers Matt Monroe and Allen Sedlak for 30 years of service with the Hastings Police Department.

The Mayor reminded everyone of Do The Brew which will be held April 28, 2012 at the City Auditorium. This event is a fund raiser for the Arts Council.

The Mayor asked Fire Chief Kent Gilbert to give an update on the City's first month of running the ambulance service.

The Fire Chief indicated that in March there were 196 calls for an ambulance; it took an average of 58 seconds to leave when a call was received. The average arrival time on scene was 4 minutes and 11 seconds and the average minutes they were on the scene was 16 minutes. The

Fire Chief stated he has heard from Mary Lanning and they are extremely happy with the ambulance service. A couple of weeks ago, there was a house fire and a couple of grass fires happening at the same time and today there was a severe auto accident where two ambulances were sent out.

The Mayor asked Dave Rippe, Executive Director of the Hastings Economic Development Corporation (HEDC) to update everyone on the first quarter activities of the HEDC.

Mr. Rippe stated HEDC has a great partnership with the City and the Board of Public Works. We helped Dutton Lainson Company acquire Hastings Equity Grain, there was a \$600,000 loan to Thermo King for upgrades and hiring of new people and an application from Drake Tool and Design.

Moved by Harrington, seconded by Niemeyer that the following items on the Consent Agenda be approved:

- 1(a) Minutes of the Council Meeting of March 26, 2012.
- 1(b) Minutes of the Worksession of March 20, 2012.
- 2(a) Application of Midtowne Mart LLC for a Special Designated License at the City Auditorium on July 28, 2012.
- 2(b) Application of 2nd Street Slammer, Inc. for a Special Designated License at the Adams County Fairgrounds on July 7, 2012.
- 2(c) Application of Hallett, Inc. for a Special Designated License at the City Auditorium on May 5, 2012.
- 4(a) Payroll for the period ending April 14, 2012, paid April 20, 2012.
- 4(b) Authorizing the City Clerk to issue checks against the various funds for payment of claims. (Claims attached to and made a part of these minutes).
- 4(c) Authorizing the City Clerk to issue checks against the various funds for payment of pre-paid claims. (Prepaid claims included in list of claims).
- 5(a) Department Monthly Reports received and placed on file.

Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel.
Nays: None. The motion carried.

At this time a public hearing was held on the request of Linda Addison on behalf of the Housing Development Corporation for a Conditional Use Permit for a homeless youth housing facility at

724 West 7th Street.

Linda Addison, Director of the Housing Development Corporation, appeared to speak on behalf of the application for a Conditional Use Permit. Ms. Addison stated The Living Center (TLC) will be a permanent housing living center with on and off-site supportive services. There will be 12 apartments in the building, 9 one bedroom units and 3 two bedroom units. There will also be an on-site quarters for a supervising manager to oversee the site on a 24 hour basis. The Housing Development Corporation will be the developer and owner of the project and The Court Appointed Special Advocates for Children (CASA) will be responsible for the operations and administration of TLC. TLC will house homeless youth between the ages of 18 and 24 who are transitioning out of the foster care system and other at risk youth. This housing will provide homeless youths with safe housing and the opportunity to return to school or do post education. Tenants will be required to seek employment for a minimum of 20 hours per week. The Housing Development Corporation, CASA, Hastings Public Schools, Catholic Social Services and other local agencies are committed to acquiring additional dollars needed for this project. Ms. Addison stated the Housing Development Corporation has secured \$943,280 from the Department of Economic Development towards the development costs for this program.

Ruann Root, Executive Director of CASA, appeared to speak in favor of the homeless youth facility. Ms. Root stated transitioning out of the foster care program is very difficult and TLC is a way to help these youths to get on their feet. All youths wanting to reside at TLC will go through an application process and screening. Ms Root stated in the handout she provided are letters in support of TLC from Crossroads Rescue Mission, Central Community College, Hastings Area Chamber of Commerce, US Bank, Legal Aid of Nebraska, The Tenth Judicial District County Courts, Tenth Probation Court, Hastings Senior High School, South Central Behavioral Services, American Red Cross, Hastings Housing Authority, Vocational Rehabilitation, Revive, Inc., New Dimensions Counseling, UNL Extension Office, Mary Lanning Healthy Beginnings, YWCA and Hastings Family Planning.

Pastor Bill Nottage-Tacey of the 1st Presbyterian Church appeared to speak in favor of the homeless youth facility. Pastor Nottage-Tacey stated he is very much in support of this program.

Some youths transition out of the foster care system very well, but some do not and are not yet ready to be on their own living independently. This facility will give them housing, counseling, requirements to continue attending school and help them seek employment in an atmosphere that is free of drugs and alcohol.

Ardyce Bohlke, of #7 Village Drive and a member of the CASA Board of Directors appeared to speak in favor of the homeless youth facility. Mrs. Bohlke stated Hastings has never turned its back on our youth. TLC supports young people with no permanent address.

Tom Schik of Hastings Catholic Social Services appeared to speak in favor of the homeless youth facility. Youth homelessness is rapidly growing, but Hastings is probably ahead of most of the country. TLC is just the thing this community needs and he supports the

application for a Conditional Use Permit.

Rachelle Lipker, Assistant Director at Crossroads, appeared to speak in favor of the youth homeless shelter. Ms. Lipker stated in the last year Crossroads served 16 unaccompanied youth that were the ages of 17 and 8. These 16 individuals stayed a total of 671 nights at the mission. TLC will be an additional option for children that are currently seeking shelter at friends' homes, vehicles or other places not meant for habitation. Ms. Lipker asked the Council for their support in granting this Conditional Use Permit.

Kathy Wagner Weiss with the Nebraska State Probation's RISE Program appeared to speak in favor of the youth homeless facility. This facility will be an important part of this community as it helps young people who are homeless to continue their education and become more productive people of the community.

Beth Wissing of 1815 Westchester, appeared to speak in favor of the youth homeless shelter. Ms. Wissing stated she is a CASA volunteer and has also been a foster parent and wishes this facility was available for one of her foster children when she transitioned out of the foster care system. This is a positive thing for the community and hopes the Mayor and Council will approve the request.

Amy Swayze, Homeless and Truancy Coordinator for the Hastings Public Schools, appeared to speak in favor of the homeless youth facility. Ms. Swayze stated there are 204 homeless students in the public school system. This project will help these young people continue with their education.

David Reed, Boys Town Director of Central Nebraska Operations, appeared to speak in favor of the homeless youth facility. Mr. Reed stated this project can be very successful if you have a good level of supervision and monitoring. You also need to screen kids and accept only those that you feel will succeed.

Judith Sandeen of 721 North Hastings appeared to speak in favor of the homeless youth facility. Ms. Sandeen stated she will be adjacent to this facility and remembers the concerns residents had when The Bridge was housed in the neighborhood on 9th Street; they were good neighbors in the community. Ms. Sandeen urged the Council to support this facility.

Beth Baxter of Kearney, Nebraska and Director of Region III Behavioral Health Services appeared to speak in favor of the homeless youth facility. Ms. Baxter stated a lot of kids that will be able to use this facility will or are transitioning out of the foster care system. This facility will give them an opportunity to learn to live independently.

Yolanda Chavez Nuncio, Area Administrator of the Nebraska Department of Health and Human Services, appeared to speak in favor of the homeless youth facility. The Department of Health and Human Services is in favor of this facility. Right now, 20 have aged out of the foster care system. A facility of this kind will help kids continue their education and give them the life

skills they need.

Lauren Slaughter, a CASA volunteer and a student at Hastings College, stated a facility of this type would have helped her when she needed it. Ms. Slaughter stated she emancipated herself at the age of 16 and lived with friends at one time and a boyfriend who was six years older than her. Ms. Slaughter stated she was encouraged by her high school counselor to apply to colleges and because she was offered a soccer scholarship she went to Hastings College. Ms. Slaughter stated she just about dropped out of college until one of the financial aid people told her she could apply for some grants because she was homeless.

Brian Kruase, Licensed Mental Health Provider at the Regional Center and Tiffany Krause of Hastings Family Planning addressed the Mayor and Council in regard to the youth homeless facility. Both Mr. and Mrs. Krause work with youth and stated there are benefits to this program. These youth need to gain skills and this is the facility that can help them with that.

Donna Fegler Daiss, Adams County Attorney, appeared to speak in support of the youth homeless facility. Ms. Daiss stated once a young person attains the age of 19, courts have no jurisdiction. Ms. Daiss stated not every kid that ages out of the foster care system will be eligible for the program, but those that are eligible will learn life skills and it will give them the opportunity to live independently.

Donna Moss, Director of Student Services for the Hastings Public Schools, appeared to speak in support of the youth homeless facility. Ms. Moss stated that CASA will be responsible for overseeing the project and this community needs a facility like this and she is in support of the project.

Larry Harvey of the 1st Baptist Church stated these kids are living in this community anyway and he is strongly in favor of this facility.

Jessica Henry of 818 North Lincoln Avenue addressed the Council in regard to the youth homeless facility. Ms. Henry stated she really isn't in opposition to the facility, but she does have a couple of concerns about the project. Ms. Henry stated her first concern is that there is no clear program plan. Ms. Henry stated she has e-mailed Ms. Addison and Ms. Root various times trying to get a copy of it. Ms. Root indicated that Ms. Addison had that information, but when she contacted Ms. Addison all she got was a blueprint for the remodeling. When Ms. Root canvassed the neighborhood she wouldn't answer any questions about the program. Ms. Henry stated if CASA is administering the program, how is that person paid. Ms. Root undoubtedly has a full load now with the CASA work, will she have time to administer another program. Ms. Henry questioned if there is only going to be one on site supervisor and is that person a part of the program. Ms. Henry stated there are many models in the country for transitional youth programs and she cannot believe that they couldn't use one or some of these models to craft a program plan. Ms. Henry stated she also is interested in a time line for transitioning. Ms. Henry stated her second concern is the funding. Ms. Henry stated she spoke with Bob Doty at the Nebraska Department of Economic Development and he indicated the \$943,000 grant is only

for the remodeling of the building, not for the program itself. Mr. Doty told Ms. Henry that they really need to have a plan in place to make the this facility economically sustainable and right now they have no additional funding. Ms. Henry stated Ms. Addison has asked her to give feedback in the planning process of this, but how can feedback be given when she cannot get a copy of the program plan. Ms. Henry stated there may be a need for this kind of housing in this community, but it needs to be handled in an appropriate manner and there needs to be a plan for sustaining the program once the remodeling is complete.

The City Clerk advised that her office had received no written objections.

There being no other persons wishing to speak, the Mayor declared the hearing closed.

Moved by Harrington, seconded by Krings that the Mayor and Council approve the request of Linda Addison on behalf of the Housing Development Corporation for a Conditional Use Permit for a homeless youth housing facility at 724 West 7th Street, subject to the following conditions:

1. Landscaping: The current landscaping for the site shall remain in tact and all maintenance shall be at a minimum, in accordance with City Code Chapters 18 and 42 in regards to nuisance standards.
2. Signs: The site shall be allowed one (1) wall sign not to exceed 50 square feet and one (1) monument sign.
3. Parking: As per City Code, 1.5 spaces per unit for vehicular parking for a total of 18 spaces located onsite and on adjacent lots. Adjacent on street curbside parking is not allowed as it is posted “No Parking”.
4. Bicycle Parking: As per City Code, 1 stall per 2 units for a minium of 6 stalls or a bike rack allowing at least 6 bicycles in it to be located on the north side of the building in the parking lot area.
5. Outside Building Facade: The outside architecture shall remain as is or in accordance with the Nebraska State Historical Preservation Office guidelines for a historical building.
6. Fencing/Screening: A 6 foot high privacy fence, as described in the Hastings City Code and reviewed by the Building Inspector, shall be constructed to screen the property from the adjacent residential neighbors to the north.
7. Lighting: Lighting shall be in accordance with City Code Chapter 34-305.5.
8. Noise: Shall be in compliance with Noise regulations per Chapter 18-113.01 of the Hastings City Code.

9. Occupancy: The maximum number of residents shall not exceed one (1) person per 200 square feet of living space as per the International Building Code Section 1004 and not to exceed 34 residents at any given time nor shall the limit exceed any rates set by the State Fire Marshall.
10. Onsite Supervision: At all times, 24 hours a day, 7 days per week, an on-site supervisor shall be on the premises to oversee the residents and the property.

Councilman Glen stated Ms. Henry raised some good questions and he would have the same concerns if he were a neighbor. Councilman Glen stated he does have concerns with the sustainability, but that isn't the Council's responsibility; the Council's responsibility is giving it a chance to work.

Councilman Odom questioned the occupancy level.

Ms. Addison stated it will consist of 12 apartments, there will 9 one bedroom units and 3 two bedroom units. There will also be a two bedroom unit for the supervisor. Supervision will be onsite at all times, however, residents will be allowed to come and go as they please as long as they follow the guidelines that will be set by the The Living Center. There will be a requirement that they continue to attend school until graduation and they must seek at least 20 hours per week employment. Ms Addison stated as far as the program plan is concerned, we have 90 days to put our documents together.

Councilman Odom questioned if once those documents are all put together, will you be able to answer the questions Ms. Henry has and this Council has.

Ms. Addison stated yes, we would be able to answer all questions.

Councilman Odom stated he wanted to go on record and state that the City is not involved in this in any way and City funds will not be used.

Ms. Addison stated 30% of our income will be rent, we should receive approximately \$33,000 a year in rent.

Councilman Goebel asked Ms. Addition if there was any concern with the conditions listed on the Conditional Use Permit.

Ms. Addison stated there is no problem with the conditions that are listed.

Councilmember Peterson questioned the programming and the initial steps for funding.

Ms. Root stated this program will be well supervised and we are looking for grants. This project has been going on for two years

Councilmember Peterson stated she disagreed with Councilman Odom, feels they City can be involved and she would like the City to help.

Councilman Niemeyer stated he is surprised at the number of homeless youth in this community. Councilman Niemeyer stated he agrees with Councilman Glen, as a Councilman he believes there are a whole lot of supporters at the meeting to figure out what needs to be done. Worst-case scenario is that if the program would fail, it would at least result in a newly renovated apartment building that could be leased.

Councilman Harrington stated he applauds everyone involved in this project, but it isn't up to us to say it will or will not work, but if there are problems, the Conditional Use Permit can be revoked by the City Council.

Vote on the motion. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel. Nays: None. The motion carried.

Moved by Odom, seconded by Harrington that the Mayor and Council award the contract for Project R-2012-1A (Elm Avenue, 9th Street to 12th Street) to Vontz Paving, Inc. of 2355 West Highway 6, Hastings, Nebraska 68901 in the amount of \$86,675.98 and that the Mayor and City Clerk be authorized to execute said contract documents. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel. Nays: None. The motion carried.

The Mayor stated if there were no objections from the Council, he would ask that Kathy Rysiew be allowed to address the Council.

There were no objections from the Council.

Mrs. Rysiew stated crossing 12th Street has been a problem for several years. There are only two crosswalks on 12th Street between Baltimore Avenue and Marian Road so there is a long stretch where you cannot cross. With the Middle School and Water park being located south of 12th Street, those living north of 12th Street are not able to cross 12th Street in a safe manner.

Kayla Rysiew stated getting to the Middle School and Water Park would be a lot easier if there was a traffic light placed on 12th Street near the Middle School for people to cross.

Councilman Krings stated he believes this is an issue to be addressed. Councilman Krings stated the two crosswalks Mrs. Rysiew is talking about are so faded that you cannot even tell they are to be crosswalks.

Councilman Odom asked staff to look at 12th Street and do a traffic study in that area and asked that the crosswalks be painted.

Councilman Odom stated as he understands it, according to Nebraska Law, traffic only needs to stop for people in the crosswalk, not when they are about to cross.

Police Chief Larry Thoren stated that that is correct.

Moved by Odom, seconded by Glen that the Mayor and Council award the contract for Project R-2012-1B (Osborne Drive West, North Shore Drive to Burlington Avenue and South Shore Drive from Burlington Avenue to North Shore Drive) in the amount of \$322,366.76 and Project R-2012-1C (California Avenue, 12th Street to 14th Street) in the amount of \$83,710.53 to Werner Construction, Inc. of 129 East 2nd Street, Hastings, Nebraska 68901 and that the Mayor and City Clerk be authorized to execute said contract documents.

Councilman Odom questioned if sales tax money is being used for these projects. The City Engineer stated sales tax money will be used for the North Elm Project.

Vote on the motion. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel. Nays: None. The motion carried.

Moved by Harrington, seconded by Niemeyer that the Mayor and Council approve the application of Jeremy Wesley for a 52-inch height fence at 1050 North Showboat Avenue. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel. Nays: None. The motion carried.

REPORTS OF LIAISONS: Councilman Goebel reported on the March 30, 2012 Board of Public Works Meeting. There was discussion on the Water System. There was also discussion on partnering with the Little Blue NRD and the Upper Blue NRD for a potential Joint Water Incentives Program. There was approval of construction services for an addition at the Pollution Control Facility.

Moved by Glen, seconded by Niemeyer there being no further business to come before the Council, the meeting adjourn at 9:02 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel. Nays: None. The motion carried.

APPROVED:

Mayor

4-9-2012

ATTEST:

City Clerk

(S E A L)