

COUNCIL MEETING, MONDAY, JUNE 11, 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, Oatman, Goebel. Absent: Krings.

Moved by Odom, seconded by Glen 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 June 8, 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, Oatman, Goebel. Nays: None. Absent: Krings. The motion carried.

**CITIZEN COMMUNICATIONS:** None.

**MAYOR'S COMMUNICATIONS:** John Butler of Livingston-Butler-Volland Funeral Home and representing the Nebraska Funeral Directors Association stated that he and his father, Michael Butler, have nominated Hastings Police Captain Adam Story for the Hero Award for his actions at an incident at Lake Hastings on September 9, 2011. The criteria for this award is actions outside the scope of one's normal training and went above and beyond to assist someone in need. This award is also a reflection on the community service personnel here in Hastings. Everyone (Police Department, Fire Department, Ambulance, Sheriff's Department) does a great job. For someone in the City to receive this award says a lot for the City of Hastings and the community. This award was also received by a couple of police officers in April of 2010 as well.

The Mayor stated we did a nation wide search to fill the Parks & Recreation Director vacancy. The best candidate, after interviewing everyone and talking to everyone, was the person who was already in house. The Mayor stated he would like to present the name of Jeff Hassenstab as his appointment as Director of Parks & Recreation for the City of Hastings. The Mayor stated Mr. Hassenstab's experiences and education made him the best choice to fill this very critical department head position. For the past four years Mr. Hassenstab has served as the Recreation Superintendent and prior to his employment with the City, he worked as a Program Director for the Ottawa, Kansas Recreation Commission. Mr. Hassenstab holds a B.S. degree in Business Administration from Wayne State University and a Masters Degree in Sports Administration from Wichita State University. Mr. Hassenstab holds numerous certifications and professional memberships that enhance his skill set. He has received numerous awards, including the Kansas Recreation and Parks Distinguished Recreation Programmer, and the Nebraska Recreation and Parks Association Outstanding Recreation Professional. The Mayor thanked the Interview Committee which consisted of the Mayor, Council President Roger Glen and City Administrator Joe Patterson.

Moved by Odom, seconded by Niemeyer that the Council approve the Mayor's appointment of Jeff Hassenstab as Parks & Recreation Director. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Oatman, Goebel. Nays: None. Absent: Krings.

Dave Rippe, Director of the Hastings Economic Development Corporation (HEDC), stated he is here to give the Council the first semi-annual update on the City's Economic Development Incentive Program. As you will recall, as part of the Hastings Utilities Budget, there was \$5.5 million dollars earmarked for incentive funding as allowed under State Statute 13-315. \$3,000,000 of these dollars were for projects relating to job creation and capital investment, \$2,000,000 for temporary partial electrical demand reductions and \$500,000 for special marketing efforts. At that time he recalls stating that it was imperative for us to be willing to invest in companies that were willing to invest in Hastings and believes we have seen that. So far this year, community funding has been critical in bringing two projects to fruition so far. In January, the Board of Public Works approved a \$600,000 forgivable loan to Thermo King in order for them to transfer up here several lines in Louisville, Georgia along with the new employment creation and retention, employment to the level of 220 full time to be retained with the addition of 96 full time equivalence, transfer of equipment from the closing facility in Louisville, Georgia and significant new capital investments. Mr. Rippe stated a couple of weeks ago he went out and met with Cindy McDaniels, Manager at Thermo King, and they have just transferred here the last of 12 lines from Louisville, Georgia. They have brought on over 100 new people at the facility here in Hastings in less than a year. At this time last year, they had employees in the mid 200's and right now they are at 325 full time equivalence and there are 50 temporary employees for a total of 375 employees out there right now. They have also installed a couple of million dollar projects. i.e. air conditioning in the facility that was done as part of the community's commitment and they will certainly appreciate that as things start to heat up a little bit this summer. What we talked about when we looked at this project was that Ingersoll Rand was looking at a number of plants around the world and of the over 90 plants, 20 of them have been closed. If your plants aren't growing, then they are either shrinking or being eliminated. As part of this project, Ingersoll Rand looks to create a model facility here in Hastings so if you are our investment, hopefully we have insured that our facility is here for a number of years to come. The other project that the Board of Public Works approved earlier this year was a \$12,000 commitment to Drake Tool and in exchange for their \$325,000 purchase of a new horizontal milling machine, they brought on two new full time employees and two new part time employees. Mr. Rippe stated both projects are right on course with regard to employment creation. They both hit their marks in May and so now they are into a two year job retention period. In order to fulfill the commitments they have made to the City, they will need to hold onto those employments until this time two years from now. Mr Rippe stated he believes we have really created a unique model in how we go about this program. We have a Review Committee that meets, Councilmembers Odom and Goebel meet with Board of Public Works members George Anderson and Scott Krieger and we review projects in advance and internally set up some benchmarks that we want to see with regard to wages and how our money comes in

and is leveraged against capital investment. With the two projects that we have looked at so far, we have come in at about 4% of the project, capital investment wise, so a pretty small percentage for getting that big of a return, in our opinion. We also look to reward projects that create jobs that are beneficial to the community, so they are paying 150% or more of average wages, projects that are really raising the bar of what we are trying to do here in Hastings. It is very positive on how we look at projects, the process that we have and the projects that we have funded so far.

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

- 1(a) Minutes of the Council Meeting of May 29, 2012.
- 1(b) Minutes of the Worksession of May 22, 2012.
- 2(a) Application of Tri-City Garden Corporation for a Special Designated License at the City Auditorium on September 22, 2012.
- 4(a) Payroll for the period ending June 9, 2012, paid June 15, 2012.
- 4(b) Authorizing the City Clerk to issue checks against the various funds for payment of claims. (Claim 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 prepaid 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, Oatman, Goebel. Nays: None. Absent: Krings. The motion carried.

At this time a public hearing was held on the application of Caribbean Bar & Grill LLC dba "Caribbean Bar & Grill" for a Class "C" Retail Liquor License to be operated at 1426 West 2<sup>nd</sup> Street.

Jesus Hernandez Vivanco appeared to speak on behalf of the application. Mr. Vivanco stated he has lived in the community for quite some time and wanted to bring something different into the City.

No one appeared to speak in opposition.

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.

**RESOLUTION NO. 2012-20**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA, that after hearing had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent city ordinances of the City of Hastings, Nebraska:

The Hastings City Council hereby recommends that the application of Caribbean Bar & Grill LLC dba "Caribbean Bar & Grill" for a Class "C" Liquor License for the license period ending October 31, 2012, at 1426 West 2<sup>nd</sup> Street, Hastings, Nebraska, be approved.

BE IT FURTHER RESOLVED, that the City Clerk is directed to transmit a copy of this Resolution to the Nebraska Liquor Control Commission.

Moved by Odom, seconded by Peterson that Resolution No. 2012-20 be passed and approved. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Oatman, Goebel. Nays: None. Absent: Krings. The motion carried.

Moved by Harrington, seconded by Oatman that the Council approve the Manager Application of Jesus Hernandez Vivanco in connection with the Class "C" Liquor License of Caribbean Bar & Grill LLC dba "Caribbean Bar & Grill" to be located at 1426 West 2<sup>nd</sup> Street. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Oatman, Goebel. Nays: None. Absent: Krings. The motion carried.

At this time a public hearing was held concerning an application to the Department of Economic Development for a Community Development Block Grant for renovation of a vacant historic structure to convert to an arts and cultural center.

Robin Harrell, Director of The Listening Room and The Lark, appeared to speak in favor of the application. Ms. Harrell stated The Listening Room Board of Directors is seeking a partnership with the City of Hastings to apply for a Community Development Block Grant from the Nebraska Department of Economic Development. The grant is a tourism grant and the grant application requires that we be a town of under 50,000 people and that the tourist attraction that we are getting funding for, when completed, should draw 2500 or more visits annually from people outside a 100 mile radius. The national objective of this grant is to help eliminate conditions addressing slums and blight and that the granted facility will service people of low and moderate income. We have to apply for a grant of \$300,000; we have the required matching funds for this grant and 5% of this grant will go for administrative costs. We have the South

Central Economic Development office helping us with the grant and the paper work. They will get 5% of the grant if it is awarded and the remaining \$285,000 will be used for construction. Ms. Harrell showed a floor plan of the proposed project. The main floor will have a main performance space with a stage area, a full bar, ADA accessible restrooms and catering kitchen. The mezzanine level will have large conference rooms, small conference rooms which will have access to the historical balconies that we are redoing and service area for the office spaces. There will be seven office spaces and one office will be for the Director of The Lark, the other six will be rented spaces. Ms. Harrell stated we have spent a lot of time designing this facility and just so you know we had thought about every different function for it. The first function is the home of The Listening Room. We have brought in a sound engineer and we are incorporating his recommendations into our design, so this will be an excellent acoustics space. We will have professional sound and lighting. The concert venue will have a capacity of 200 plus, we will have the full bar and the ADA accessible restrooms. The first floor is ADA accessible which will give us an opportunity to apply for other grants. The conference rooms on the second floor, on a performance evening, can have private parties and then you would have access to the balconies which will be very special seating for performances. Mr. Harrell stated other arts programming that we are looking at is small theater productions, recitals, dances of all kinds. We are also looking at in house programming which will be things like other musical events besides The Listening Room concert series so that we can broaden the musical spectrum that we are offering to the community. With the catering kitchen, we are also looking to have things, such as a special evening or culinary events where we have a caterer come in and do a dinner with a particular kind of cuisine with music to match. Ms. Harrell stated other ideas are like "Canvas & Cocktails" where you come in and do an art class and then you have cocktails. Ms. Harrell stated we are full of ideas for in house programming. We see this as a very attractive space for conferences, conventions, weddings and all different kinds of group meeting space. The performance area has a capacity of 300 people depending on the seating, banquet seating will be more like 120 or 140 up to about 300. In regard to the conference rooms, the large conference room, depending on the seating, has a capacity of about 40 people and the small conference room would be more like 10 to 12 people. Ms. Harrell stated we see this project as very very unique as a performance and event space. The capacity, we believe, fills a niche that we have in the community as far as this 300 capacity space. We know that we have some smaller spaces and we obviously have some larger spaces, but as far as this capacity and what we have so far, we feel it is a very needed space and will be very useful. The temporary urban design of the space we feel will attract groups of all kinds and lastly, but probably most important, is its location which is on 2<sup>nd</sup> Street in downtown Hastings. Ms. Harrell stated she does have letters of support for this project from Hastings College, the Hastings Economic Development Corporation, the Business Improvement District, the Community Redevelopment Authority, State Tourism, Adams County Historical Society, Adams County Convention & Visitors Bureau and the Downtown Center Association. Ms. Harrell stated our drawings are 90% complete at this time and as you can see by the handout the total construction costs are proposed at \$792,000 and added onto that are the administrative expenses which brings the total to \$807,000. Hopefully with the grant of \$300,000 we will have 507,000 remaining in which we

are applying for several grants including a Peter Kiewit Foundation Grant.

The Mayor questioned what the balconies were used for several years ago.

Ms. Harrell stated it was a department store and believes the second floor was used for offices.

Councilmember Peterson stated Ms. Harrell talked about the first floor being ADA accessible, how about the second floor.

Ms. Harrell stated we did discuss that quite a bit and the fact is that there is not really a great space for an elevator. We felt like the space that the elevator would require would actually handicap the function and the flow of the building. If the office on the second floor wants to meet a client then that can be done on the first floor.

Councilman Glen asked if someone could explain how the Community Development Block Grant funds work.

Dave Rippe of the HEDC stated CDBG dollars are program dollars of Housing and Urban Development (federal tax dollars). While they are not your property tax dollars, they are your tax dollars. The State receives an allotment and then communities of fewer than 50,000 people receive allotments through the State and the State then contracts, in this instance, with South Central Economic Development District in Holdrege to do all the monitoring and as we know there is a lot of federal requirements and different things to go along with this. The City of Hastings is a pass through entity, but you do have some liability on the shoulders of the City to make sure that those dollars are followed through with as they are supposed to be awarded.

No one appeared to speak in opposition.

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.

### **RESOLUTION NO. 2012-21**

WHEREAS, the City of Hastings, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program, and

WHEREAS, the City of Hastings, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted a public hearing(s) upon which the proposed application and received favorable public comments respecting the application which is for an amount of \$300,000 for renovation of a vacant historic structure to convert to an

arts and cultural center.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hastings, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Hastings and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

Moved by Niemeyer, seconded by Glen that Resolution No. 2012-21 be passed and approved. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Oatman, Goebel. Nays: None. Absent: Krings. The motion carried.

Moved by Goebel, seconded by Niemeyer that the Mayor be authorized to execute renewal agreement with Hastings Keno, Inc. to extend the Lottery Operator's Agreement for a five year period. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Oatman, Goebel. Nays: None. Absent: Krings. The motion carried.

Moved by Harrington, seconded by Glen that the Preliminary/Final Plat of Consolidated Concrete Subdivision be approved. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Oatman, Goebel. Nays: None. Absent: Niemeyer. The motion carried.

Moved by Goebel, seconded by Oatman that the request of Hastings Public Schools (Alcott Elementary) to increase terrace parking an additional 60 feet west on existing terrace parking on 4<sup>th</sup> Street right-of-way be approved, subject to the following:

1. Hastings Public Schools will incur all construction costs associated with construction.
2. Construction shall be made of 47B concrete in conformance with Exhibit "A" attached.
3. Hastings Public Schools will assume all maintenance on parking.
4. Permit may be revoked at any time due to any utility or street widening

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

**REPORTS OF LIAISONS:** None.

Moved by Odom, seconded by Niemeyer there being no further business to come before the Council, the meeting adjourn at 7:33 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Oatman, Goebel. Nays: None. Absent: Krings. The motion carried.

6-11-2012

APPROVED:

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Mayor

ATTEST:

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City Clerk

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