

COUNCIL CHAMBERS, MONDAY, OCTOBER 8, 2012 AT 7:00 P.M.

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

Moved by Niemeyer, seconded by Peterson that the Open Meetings Act is posted on the south-east wall of the City Council Chambers and that prior to this meeting a notice was placed in the Hastings Tribune on October 5, 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: None.

MAYOR'S COMMUNICATIONS: The Mayor recognized Kevin Douglas for 35 years of service with the City of Hastings Street Department.

The Mayor read a proclamation proclaiming the week of October 7 thru October 13, 2012 as Fire Prevention Week.

The Mayor stated on Wednesday, October 10th, there is a Plan Giving Conference at Central Community College. If anyone is interested, they can contact the Hastings Foundation. This is a chance for all of the foundations in Hastings to get together and let people know what they do so when a person dies or someone wants to make a contribution to better our community, they can give it to one of these foundations and they will forward it on in the way of projects. A good example is that the Hastings Foundation did the Splash Pad a number of years ago and that came from the Key Society and other people that gave. That was a wonderful gift the City of Hastings was given; the City can't always raise money to do some of these projects and the Hastings Foundation is our backup to provide things that we sometimes cannot do. If you have questions or want to attend this conference please contact the Hastings Foundation.

The Mayor stated in the audience tonight is Dan Hoins, City Administrator of Papillion. Mr. Hoins is a former Police Chief and he is helping us with our Police Chief interviews. We interviewed two candidates today and will interview the final two tomorrow. We had a meet and greet at 11:00 A.M. and 4:00 P.M. for the two candidates today and will have a meet and greet tomorrow for the remaining two candidates at the same times.

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

- 1(a) Minutes of the Council Meeting of September 24, 2012.
- 1(b) Minutes of the Worksession of September 18, 2012.

2(a) Request of the Downtown Center Association and the Business Improvement District for closure of downtown streets for the annual Celebration of Lights on November 15, 2012 from 2:00 P.M. to 10:00 P.M.

2(b) Application of Midtowne Mart LLC for a Special Designated License on November 16, 2012 at the City Auditorium.

2(c) Application of Midtowne Mart LLC for a Special Designated License on February 6, 2013 at the Adams County Fairgrounds.

2(d) Request of the Hastings Surgical Center for closure of streets for a breast cancer awareness stiletto race on October 20, 2012 from 8:30 A.M. to 10:30 A.M.

4(a) Payroll for the period ending October 13, 2012, paid October 19, 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. (Pre-paid claims included in the list of claims).

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 Dale Hamburger on behalf of Carmichael LTD for a Conditional Use Permit to allow a self storage facility in the 800 block of West 18th Street.

No one appeared to speak in favor.

No one appeared to speak in opposition.

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

The Mayor declared the hearing closed.

Moved by Krings, seconded by Glen that the Mayor and Council approve the request of Dale Hamburger on behalf of Carmichael LTD for a Conditional Use Permit to allow a self storage facility in the 800 block of West 18th Street, subject to the following conditions:

1. All exterior lighting shall be of cut-off type to prevent off-site glare.
2. All lighting shall meet the requirements of Tables 305-10 and 305-11 of

Section 34-305.5 for heights and shielding, and Section 34-305.5c regarding general standards for exterior lighting.

3. All storage shall be kept within an enclosed building.
4. No long term parking outside including but not limited to RV's, vehicles, trailers, campers, boats or water craft.
5. Building setbacks shall be the same as in the C-3 District.
6. Two parking spaces shall be provided, plus one additional space for each employee. Internal drives and parking shall comply with Section 34-308 for paving requirements. In addition, a concrete drive shall be continuous for ingress and egress for the seven (7) units located on the east side which are accessed from North Lexington Avenue.
7. Building heights shall be limited to one story which does not exceed fourteen (14) feet at the eaves.
8. Buildings shall be separated a minimum of thirty (30) feet from one another within self service storage facilities. Storage bays within a single building shall not be interconnected by interior doors or other interior means providing access from one storage bay to another. The dimensions of any storage bay shall not exceed twenty-two (22) feet in the narrowest dimension or thirty-six (36) feet in the widest dimension.
9. A sign shall be limited to one ground pole sign at the entrance to the premises. No more than thirty-two (32) square feet in area shall be permitted with a maximum height of ten (10) feet or a wall sign may be used in exchange, but cannot exceed two signs of which one shall face Lexington Avenue and the other, the alley.
10. Commercial Activity: It shall be unlawful for any owner, operator or lessee of any self service storage facility or portion thereof to offer for sale, or to sell any item of personal property or to conduct any type of commercial activity of any kind whatsoever, other than leasing of the storage units, or to permit same to occur upon any area designated as a self service storage facility. Violation of this Section shall be subject to the provisions of Section 34-805 of the Hastings City Code. Any violation may be cause for revocation of the Conditional Use Permit.
11. Repair, reconditioning and fabrication are prohibited on site. This provision shall be posted and be included in the tenant lease agreement.

12. An approved plan shall be valid for a period of twenty-four (24) months following the date of approval by the Council. If construction has not been started within said twenty-four hour (24) month period, the plan shall be null and void unless the time for start of construction has been extended by the Council.

Councilman Krings questioned if the applicants were aware of the conditions.

Rich Cartier, City Planner, stated that same question was asked at the Planning Commission meeting and the applicants are aware of the conditions. They have built most of the storage units recently and they are well aware of exactly what we expect.

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

Moved by Goebel, seconded by Oatman that the Mayor and Council approve the Preliminary/Final Plat of Darrell Lau Subdivision.

Councilman Goebel stated in the department information, it says land west of the City of Hastings, but it is actually east of the City of Hastings.

The City Administrator stated there doesn't need to be an amendment because the legal description is correct.

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

REPORTS OF LIAISONS: Councilman Goebel reported on the September 25, 2012 Board of Public Works. At this meeting they went over each of the departments and looked at what challenges they have coming up, financial status, etc. to get an overview of how the budget for next year will be coming out.

At the September 27, 2012 Board of Public Works meeting there was discussion about the Western Area Power Administration (WAPA) contract. We have had a contract with WAPA since 1964 and what this brings to the City is hydroelectric power that amounts to about 10% of Hastings Utilities' usage which is our lowest cost source of electric power. That contract has been extended to 2050.

There was discussion about the natural gas at Central Community College. When the City Council voted to annex Central Community College, Hastings Utilities was required to serve that area with natural gas service. The lines there now are the property of Source Gas and Hastings Utilities has been trying to negotiate the purchase of the lines and equipment, but have not been very successful in those negotiations. At this point they did decide to pursue eminent domain proceedings if necessary; if it is possible to negotiate a settlement that will be done, but if it can't

be then they will pursue the eminent domain.

There is a planned maintenance outage on October 10th at Whelan Energy Center I to install the low NOx burners and also various maintenance and upgrades will be done to the plant. While Whelan Energy Center I is down, they will be running the power plant at the North Denver Station on natural gas for two reasons. One reason is to supply the electricity that is lost because of Whelan Energy Center I being down and the second reason is to test out those plants to see if they are ready for service if needed.

A 2012 Chevrolet Volt electric powered car has been delivered to Hastings Utilities. Ron Sanders of Hastings Utilities is going to be keeping very accurate and very detailed records of what that vehicle usage is for fuel and electric power.

Councilman Odom reminded everyone of the 8th Annual Veterans Recognition Parade on November 3, 2012 at 10:00 A.M.

The Mayor reminded the Council and public of the meet and greet tomorrow at 11:00 A.M. and 4:00 P.M. for the two remaining Police Chief candidates.

Moved by Niemeyer, seconded by Odom there being no further business to come before the Council, the meeting adjourn at 7:20 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel. Nays: None. The motion carried.

APPROVED:

Acting Mayor

ATTEST:

City Clerk

(S E A L)

10-8-2012