

COUNCIL CHAMBERS, MONDAY, APRIL 22, 2013 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, Krings, Oatman, Goebel. Absent: Glen.

Moved by Odom, seconded by Krings 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 19, 2013, that notice was posted in three public places, that each Council-member 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, Krings, Oatman, Goebel. Nays: None. Absent: Glen. The motion carried.

CITIZEN COMMUNICATIONS: None.

REPORTS OF LIAISONS: Councilman Goebel stated there is a Market Place Fairness Act that is up for vote in the Senate. What this Act was originally intended to do was to collect state and local taxes for purchases made on line. Councilman Goebel stated it isn't a new or increased tax, it is just a matter of the taxing entities collecting their share that is due. There is no way to determine how much money the City of Hastings or the State of Nebraska is missing out on, but one fact that is very interesting is that Amazon.Com takes in \$10,000,000 every 90 minutes and very little of that would be taxed locally or statewide.

Councilman Goebel stated the Mayor's Youth Council met on April 16th and they did have nominations of officers for next year. We are getting applications to all three high schools (St. Cecilia's, Adams Central and Hastings High) and we will be collecting these applications during May. The final meeting of the Mayor's Youth Council for this year will be May 7th. Any student that is going to be a Junior or Senior in the three local high schools would be eligible to apply for membership.

Councilman Goebel reported on the April 11th Board of Public Works Meeting. The final numbers are coming in on the Low NOx burners that were put onto WEC 1 recently and they are good. While WEC 1 was down for retrofit of those burners, there were a number of other items that were taken care of just to get the maintenance up to snuff. Councilman Goebel stated the PPGA built WEC 2 and when we need extra power for the City, we can buy it from our partners in the PPGA. When WEC 1 is down for repairs or maintenance that is necessary for us to do, being able to buy power locally from our partners saved the ratepayers in Hastings over \$300,000 for just this type of maintenance. Councilman Goebel stated the Board is still working on the audio/video equipment in the board room. Councilman Goebel stated and he and Chris Petroff will be meeting with Ron Sanders and Steve Cogley to put together some ideas of what we might do, how Hastings Utilities can partner with Hastings Public Access Corporation and how we can upgrade the equipment at Hastings Utilities. The next meeting will be May 2nd at

Hastings Utilities and the May 16th Board of Public Works Meeting is scheduled to be held at Central Community College.

Councilmember Peterson reported on the Mayor's Youth Council. We are hoping that more Juniors and Seniors will take this opportunity to sign up. One of the things they will be doing is a park cleanup with the Parks and Recreation staff and they are finishing up working with some of the senior citizens at the Kensington and College View. They also will be contacting the Kiwanis about packing up food that will be going overseas.

MAYOR'S COMMUNICATIONS: The Mayor read a proclamation proclaiming May, 2013 as Hastings, Nebraska Bike Month.

Councilman Krings stated we appreciate the community's acceptance of our "Share Our Streets" campaign that we kicked off at a previous Council Meeting. For the month of May, we have got some activities planned to help continue to bring awareness to all motorists, bicyclists and pedestrians as well. We are going to be working with the schools to help get some information into the hands of kids and we are going to be giving away some bicycles in our local schools, all as a way of encouraging people to get out and be physically active.

The Mayor read a proclamation proclaiming April 21st through April 27th as National Volunteer Week.

Lynn Zeleski, Museum Education Assistant, stated we have several people here this evening who will be receiving national recognition through the President's Volunteer Service Awards. Mrs. Zeleski stated Mayor Powers has agreed to help hand out these awards. The following people received awards:

Michael Hock - Silver President's Award for 277 hours
Elena Perry - Bronze President's Award for 108.5 hours
Emma Arthur, Junior Volunteer - Bronze President's Award for 50.25 hours
Jeffrey Ellis, Junior Volunteer - Bronze President's Award for 51.5 hours
Cheyenne McVey, Junior Volunteer - Bronze President's Award for 57.25 hours

Mrs. Zeleski stated Ann Koozer wasn't able to attend tonight's meeting, but she is receiving the President's Bronze Award for 157.5 hours and also Agnes Anderson who passed away last month earned another President's Silver Award for 276 hours.

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

- 1(a) Minutes of the Council Meeting of April 8, 2013.
- 2(a) Application of Richard Kohmetscher for a Special Designated License at the Adams County Fairgrounds on June 1, 2013 (1).

2(b) Application of Richard Kohmetscher for a Special Designated License at the Adams County Fairgrounds on June 1, 2013 (2).

2(c) Application of Murphy's Wagon Wheel, Inc. for a Special Designated License at the City Auditorium on June 22, 2013.

2(d) Application of Murphy's Wagon Wheel, Inc. for a Special Designated License at the City Auditorium on June 8, 2013.

2(e) Application of Rivals Bar & Grill for a Special Designated License at the City Auditorium on October 13, 2013.

2(f) Application of 2nd Street Slammer for a Special Designated License at the City Auditorium on May 25, 2013.

4(a) Payroll for the period ending April 27, 2013, paid May 3, 2013.

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).

5(a) Department Monthly Reports received and placed on file.

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

The Mayor advised that at this time the Council will discuss and take action on Items 4(d) Resolution No. 2013-17, Item 4(e) Resolution No. 2013-18 and Item 4(f) Ordinance No. 4349 at this time.

Phil Lorenzen of D. A. Davidson & Company stated the City has approximately 9.5 million dollars of debt. It is all fairly short term and all at fairly low interest rates, other than a couple of issues that are up for option now. There are two issues that are targets for refunding. In 2008, the City issued \$5,060,000 in bonds and saved approximately \$200,000 at that time by refinance. That issue is now up for option and it is at a 4.85% interest rate, we can drop that to less than 1%. The second issue comes up at the end of the year and he tried to wrap these together because it made economic sense and what didn't make economic sense is that the paper work that goes into combining sort of unlike venues under the current federal legislation and Tax Code is virtually impossible, therefore, it will be delayed until a later point in time. There is an immediate refunding candidate of \$1,280,000 Refunding Bonds issued in 2008. The existing coupon on that is 4.85%. Mr. Lorenzen stated the Mayor has had input in this process and the desire of the City is to whittle down debt rapidly and we can do that very easily. The City Treasurer, City Administrator, City Engineer and Mr. Lorenzen have met, both by telephone and in person. We came up with alternatives. The first alternative would be to simply refund the bonds with about the same schedule as they have now which runs through 2024. It would result

in a new estimated average coupon of about 1.45% with a savings of approximately \$103,000 with a present value of \$100,000. The second alternative would be to refund and extend the schedule, you could do that and lighten up the load initially and just push some of the principal down the road. That doesn't seem desirable, but you could do that and still capture an average coupon rate of 1.80% with a limited savings on the real dollar basis of about \$55,000. The recommendation of the City Treasurer, City Administrator and Mr. Lorenzen is go with the third alternative which would be to refund and accelerate the schedule and also pay down dramatically. Funds invested by the City in today's market earn virtually nothing. You have special assessments that have flowed in so you do have those funds shored up pretty dramatically. The East Lochland Project shrunk in terms of the total cost and the State is contributing a lot more money so there are funds available because of that. Mr. Lorenzen stated his recommendation is that we look at the third alternative. Mr. Lorenzen stated there are two rules we need to adhere to in the investment banking business, Rule G-23 and G-17 of the Municipal Securities Rule Board. They both deal with disclosure to you of our role in the process and the ethics and integrity we have to display it at. Essentially, we have to be sure that in our capacity as an investment banker that we serve your needs in terms of capturing the best possible interest rates for you while at the same time in selling to the invested public that we are fair in our dealing with them. We also advise under G-17 that our role as an underwriter, we are not a financial advisor. You ask us for financial advice and we freely give that advice, but we can't wear two hats, we can't be an advisor and an underwriter both. So the role that we now assume in this process with the change is that we are the role of an underwriter and in that capacity we assure you that we will walk that fine line between serving your interests and serving the interest of the investment community fairly. Mr. Lorenzen stated annually, within the close of the nine monthd following the close of the fiscal year of the City, we need to file with the MSRB(Municipal Securities Rule Board) the annual audit and other financial information. That was filed in compliance with the Code last week. Mr. Lorenzen stated our recommendation is three fold and the City Treasurer finds that there is enough money that the City could apply approximately \$900,000 to pay down the bonds of which the \$580,000 due in June is part of that \$900,000 contribution. It allows us to pay down the bonds more rapidly, it allows us to affect an interest cost at approximately 0.92% which saves the City \$114,000 by this singular transaction which manifests itself to a present value savings of about \$106,000. There is also on the agenda a resolution which would call the Bond Anticipation Notes that are outstanding. There was \$1,570,000 issued originally for East Lochland, that has been paid down to a balance of \$570,000 and the cash is there to pay those down. The second resolution on tonight's agenda calls the notes and then there is an ordinance to be considered tonight that would authorize the issuance of the bonds. The issue is for no more than \$1,000,000 in bonds and he recommends passage of the two resolutions and the ordinance.

RESOLUTION NO. 2013-17

RESOLUTION CALLING FOR REFUNDING BONDS, SERIES 2008 FOR REDEMPTION

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, as

follows:

Section 1. That the following bonds of the City, which became callable at any time on or after February 15, 2013, shall be called for redemption on such date as shall be set forth in the Designation of Called Bonds (as defined below):

Refunding Bonds, Series, 2008, date of original issue - February 15, 2008, in the principal amount of \$1,960,000, maturing June 15, 2013 through June 15, 2020 (The "Series 2008 Bonds"), both inclusive, which Series 2008 Bonds were issued by the City to refund together with funds on hand, the City's outstanding Refunding Bonds, Series 2002, date of original issue - January 1, 2002, Various Purpose Bonds, Series 2002, date of original issue - August 15, 2002, and Refunding Bonds, Series 2003B, date of original issue - September 1, 2003.

Section 2. Said bonds are payable at the office of Wells Fargo Bank, National Association, Minneapolis, Minnesota as Paying Agent and Registrar.

Section 3. The City Administrator and City Clerk of the City (each, an "Authorized Officer") are hereby authorized at any time on or after the date of this resolution to select the particular Series 2008 Bonds to be redeemed (such bonds, the "Called 2008 Bonds"), to determine the date on which the Called 2008 Bonds shall be called for redemption (the "Call Date"), on behalf of the City and such determination, when made in writing (whether in one or more documents, together referred to as the "Designation of Called Bonds"), shall constitute the action of the City without further action of the Mayor and City Council. The Call Date shall be set for any date prior to June 15, 2013; outside of such date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the City Council and this resolution shall be of no further force and effect.

Section 4. A copy of the Designation of Called Bonds shall be filed with Wells Fargo Bank, National Association, as Paying Agent and Registrar, not less than third (30) days prior to said date fixed for redemption in the Designation of Called Bonds. Said Paying Agent and Registrar, is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

Moved by Odom, seconded by Niemeyer that Resolution No. 2013-17 be passed and approved. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. Nays: None. Absent: Glen. The motion carried.

RESOLUTION NO. 2013-18

RESOLUTION CALLING BOND ANTICIPATION NOTES, SERIES 2010, FOR REDEMPTION - FULL CALL

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, as follows:

Section 1. That the following bond anticipation notes of the remaining outstanding principal amount of \$570,000 are hereby called for redemption at par plus accrued interest on May 30, 2013 after which date said notes shall cease to bear interest.

Bond Anticipation Notes, Series 2010, Dated August 13, 2010, in the original principal amount of \$1,540,000, becoming due August 1, 2013, issued by the City for the purpose of providing interim financing for a portion of the costs of constructing improvements in Street Improvement District No. 2008-2, pending the issuance of permanent various purpose bonds. This is a full call of the remaining outstanding \$570,000 portion of the Series 2010 Bond Anticipation Notes.

Section 2. Said bond anticipation notes are payable at the Office of the City Treasurer as Paying Agent and Registrar.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with the treasurer of the City of Hastings, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bond anticipation notes.

Moved by Harrington, seconded by Niemeyer that Resolution No. 20013-18 be passed and approved. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. Nays: None. Absent. The motion carried.

ORDINANCE NO. 4349

AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013, OF THE CITY OF HASTINGS, NEBRASKA IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) TO REFUND AND RETIRE SOME OR ALL OF THE CITY'S OUTSTANDING REFUNDING BONDS, SERIES 2008, DATED FEBRUARY 15, 2008; PRESCRIBING THE FORM AND CERTAIN DETAILS OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR A PAYING AGENT AND REGISTRAR AND AUTHORIZING THE OFFICERS OF THE CITY TO EXECUTE AN AGREEMENT WITH SAID PAYING AGENT AND REGISTRAR; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE OFFICERS OF THE CITY TO EXECUTE A BOND PURCHASE AGREEMENT; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM

Said Ordinance was read by title and thereafter Councilman Goebel moved for passage of the ordinance, which motion was seconded by Councilman Oatman.

Councilman Odom moved that the statutory rule requiring reading on three different days be suspended; Councilman Niemeyer seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. NAY: None. ABSENT: Glen. 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 Mayor then stated the question was "Shall Ordinance No. 4349 be passed and adopted?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. NAY: None. ABSENT: Glen. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor signed and approved the ordinance and the City Clerk attested the passage approval of the same and affixed her signature thereto. Effective date of the ordinance is May 8, 2013.

Moved by Harrington, seconded by Peterson that the Mayor and Council award Project R-2013 to Werner Construction, Inc. of P. O. Box 1087, Hastings, Nebraska 68902, in the amount of \$904,196.67 for the following 2013 Resurfacing Projects:

- Franklin Avenue - "E" Street to U. S. Highway 6
- 2nd Street - St. Joseph to Minnesota Avenues
- Oswego Avenue - 3rd to 4th Streets
- Saunders Avenue - 3rd to 4th Streets
- "D" Street - Denver to Kansas Avenues
- University Boulevard - Eastside Boulevard to Turner Avenue

and that the Mayor and City Clerk be authorized to enter into contract documents.

Dave Wacker, City Engineer, stated this is a resurfacing project using some of our sales tax money that we were fortunate to receive from the voters a couple of years ago. The Engineer's Estimate on this project is \$1,165,256.40. We received two bids, one from Vontz Paving, Inc. in the amount of \$963,445.53 and the second bid was from Werner Construction, Inc. in the amount of \$904,196.67. It is the recommendation of the City Engineer to award to Werner Construction, Inc. in the amount of \$904,196.67.

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

Moved by Goebel, seconded by Krings that the Mayor and Council approve the ten (10) year License Agreement with Glenwood Telecommunications, Inc., P. O. Box 97, Blue Hill,

Nebraska 68930 for an annual payment of \$1,317.50. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. Nays: None. Absent: Glen. The motion carried.

Moved by Harrington, seconded by Oatman that the Mayor and Council approve Project Agreement with IdeaBank Marketing for collaborative website development for an initial payment of \$5,000. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Glen, Krings, Oatman, Goebel. Nays: None. Absent: Glen. The motion carried.

Moved by Niemeyer, seconded by Oatman that the Mayor and Council approve Agreement with Central Nebraska Collections LLC for the collection of unpaid ambulance fees.

Joe Patterson, City Administrator, stated we met with Central Nebraska Collections and negotiated the same percentages Hastings Utilities has with them. There is approximately \$80,000 outstanding delinquent ambulance bills. Once this agreement has been approved, we will turn over these unpaid bills to collections and let them pursue the payment of these claims.

The Mayor stated we promised when we took over the ambulance that we were going to collect these bills. We have an obligation to protect our asset.

Councilman Niemeyer questioned what percentage of total calls do these \$80,000 of unpaid bills represent.

Fire Chief Kent Gilbert stated in the first year we billed for 1995 calls so out of about 2000 calls, there were 158 where we received no payment after three billings. The amount of charges was \$953,550.80 so are looking to collect 10.36%.

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

Moved by Goebel, seconded by Odom, that the right of SourceGas Distribution, LLC to own and operate a gas distribution system within the City limits in the area of Central Community College (specifically the area described in Ordinance No. 4279) be revoked and that notice of such revocation be provided to SourceGas Distribution, LLC by the City Attorney. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. Nays: None. Absent: Glen. The motion carried.

ORDINANCE NO. 4344

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, CREATING
A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF HASTINGS
TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2013-1; DE-

FINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN (Merle Avenue-North Shore Drive north to the right-of-way line to Lakeridge Drive)

Said Ordinance was read by title and thereafter Councilman Harrington moved for passage of the ordinance, which motion was seconded by Councilman Niemeyer.

Councilman Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilman Oatman seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. NAY: None. ABSENT: Glen. 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.

Councilman Odom stated this is new development and questioned if he is correct in saying street lights will be required.

The City Engineer stated yes, this ordinance is for paving and street lights would be a requirement of the subdivision development policy.

Councilman Odom asked the Utilities Director what we are doing for street lights for these types of developments.

Marvin Schultes, Utilities Director, stated we would work with the developer on this, but it will probably be LED.

Councilman Krings stated in looking at the information we have been given, he is not seeing where this follows all of our codes regarding sidewalks. Is there somewhere in the verbiage where all that is happening, how can we be sure that everything is going to be put in according to code.

The City Engineer stated later on, before we advertise bids, the Council will be approving the plans and specifications for said work. This contract will not include the sidewalks, that is usually obtained when building permits are put in. The ordinance is created under provisions of law where you have to give a 20 day notice to all property owners within the district in which to remonstrate against the improvements. A report will come back to the Council and if there is greater than 50% objections then the district is null and void.

Councilman Krings stated at a later date we will have the opportunity to review the plans for development of this property to make sure it follows all codes.

The City Administrator stated the Development Service Department will review the subdivision and they will require that of the developer or he won't get occupancy permits for the homes he

builds if he doesn't comply.. The only people that can waive sidewalk regulations in a new subdivision is the Council.

Councilman Krings questioned how is it that we have neighborhoods where that has happened.

The City Administrator stated there are a variety of reasons why we don't have them in certain areas. Some of them were waived by Council and some of them were annexed so they were outside the city limits and didn't have to meet that requirement which always creates a problem. You have that problem at Lake Hastings and at Westbrook, sidewalks are an issue. The area that has been built since it has been in the City has required sidewalks. There are a variety of reasons why you don't have sidewalks in certain areas, but it generally has to do with the history of the area, when it was built.

Councilman Krings stated we have a few areas in town where it is just random, there are areas where there is a sidewalk and then it just stops and then there is sidewalk again.

The Mayor stated some people would put them in and then they drove other them to do their next basement.

The City Administrator stated if you look at the new area at Lochland, most of it has sidewalks unless they received some type of waiver from Mayor and Council. Sidewalks weren't required when they were outside the city limits; they are then brought in and then it gets real difficult because people have planted shrubbery or flowers or they have sprinkler systems and to go and try to retrofit sidewalks into a development is a very difficult thing to do. We saw that when we did the paving at Lake Hastings and it was very difficult to get through to the homeowners to add those, it was almost impossible and then they would vote to kill the paving district.

Councilman Odom stated if you look at the south side of the City, you see where one house has sidewalks in front of it and sometimes it is winter and they indicate they will put in sidewalks in the Spring and Spring never comes around.

The Mayor then stated the question was "Shall Ordinance No. 4344 be passed and adopted?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. NAY: None. ABSENT: Glen. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor signed and approved the ordinance and the City Clerk attested the passage approval of the same and affixed her signature thereto. Effective date of the ordinance is May 8, 2013.

ORDINANCE NO. 4345

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, CREATING
A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF HASTINGS,
TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2013-2; DE-

FINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN (Nalan Drive north of West 13th Street north to the north right-of-way line of the intersection with West 14th Street/Meander Circle, east on 14th Street from intersection and west on Meander Circle from intersection)

Said Ordinance was read by title and thereafter Councilman Harrington moved for passage of the ordinance, which motion was seconded by Councilman Oatman.

Councilman Krings moved that the statutory rule requiring reading on three different days be suspended; Councilman Niemeyer seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. NAY: None. ABSENT: Glen. 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 Mayor then stated the question was “Shall Ordinance No. 4345 be passed and adopted?” Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. NAY: None. ABSENT: Glen. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor signed and approved the ordinance and the City Clerk attested the passage approval of the same and affixed her signature thereto. Effective date of the ordinance is May 8, 2013.

ORDINANCE NO. 4348

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA DIRECTING THE SALE AND CONVEYANCE OF CERTAIN REAL ESTATE FROM THE CITY OF HASTINGS TO STEVE MARQUARDT AND TRICIA M. VAN BOENING, ALL AS MORE FULLY DESCRIBED HEREIN; SAID REAL ESTATE NOT BEING USED IN THE OPERATION OF ANY PUBLIC UTILITY; AND PRESCRIBING THE MANNER AND TERMS OF SAID TRANSACTION (1219 North Kansas Avenue)

Said Ordinance was read by title and thereafter Councilman Odom moved for passage of the ordinance, which motion was seconded by Councilman Krings.

Councilman Goebel moved that the statutory rule requiring reading on three different days be suspended; Councilman Harrington seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. NAY: None. ABSENT: Glen. 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 Mayor then stated the question was “Shall Ordinance No. 4348 be passed and adopted?” Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. NAY: None. ABSENT: Goebel. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor signed and approved the ordinance and the City Clerk attested the passage approval of the same and affixed her signature thereto. Effective date of the ordinance is May 8, 2013.

Moved by Niemeyer, seconded by Peterson that the Council approve the Mayor’s appointment of Kim Fern to replace Susan Ferrone on the Library Board effective July 1, 2013, term to expire July 1, 2017. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. Nays: None. Absent: Glen. The motion carried.

Moved by Niemeyer, seconded by Krings there being no further business to come before the Council, the meeting adjourn at 7:50 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Oatman, Goebel. Nays: None. Absent: Glen. The motion carried.

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)

4-22-2013