

COUNCIL CHAMBERS, MONDAY, OCTOBER 14, 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, Hoops, Skutnik, Goebel. Absent: None.

Moved by Harrington, 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 October 11, 2013, 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, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried

CITIZEN COMMUNICATIONS: Jerry Goebel of 3560 South Smokey Hills Road addressed the Mayor and Council in regard to his request to rezone Lot 5, Meggan Subdivision. Mr. Goebel stated it is a nice large lot, roughly over 22,000 square feet. The four-plex we are putting in there is 1680 square feet so it is actually smaller than a lot of the R-1 houses in the neighborhood, especially when you add the garages. The area has a lot of R-3 complexes in it already, there is actually 11 within two blocks, not including his and he has six units going all the way to 7th Street. There is adequate parking so we are not causing a problem with people parking on the street. It is compatible with the R-1 zoning and many of the tenants we have there lived in nice homes or they are coming into town, a lot of them are there from a divorce, etc. and they still want a nice place to live. Mr. Goebel stated we have good tenants, we have bankers, insurance agents, engineers, nurses, teachers, etc., all good neighbors; it isn't a crack house and we try to keep the party crowd out of there. If someone starts that then they are gone right away, we don't put up with it. The lot is surrounded by light industrial, to the east is a trailer park, but there is no guarantee that it will stay a trailer park, in fact you wouldn't have to rezone, you could put a small manufacturing plant in there. Mr. Goebel stated this type of housing is probably more suitable than R-1 for the area. When we originally tried to rezone this 15 years ago, he went before the Planning & Zoning Commission and Dr. Yost wanted it to be a planned district. He had originally planned on putting only two out there so he wouldn't limit himself drawing the plan, he drew in four and then the neighbors thought that that was too much so Mr. Goebel withdrew the fifth lot himself. Mr. Goebel stated he heard a lot of times that the Council did it, but he took that off in kind of a negotiation type thing to get something going. Mr. Goebel stated now he only wants to put one unit there. It is right for the neighborhood, it is right for the City and adds a couple hundred thousand to the tax base.

Joe Vanderpool of 500 North 6th Avenue addressed the Mayor and Council in regard to the request of Jerry Goebel to rezone Lot 5, Meggan Subdivision. Mr. Vanderpool stated since Ordinance No. 4366 has been brought back before the Council, there are a few items he would like to bring back up from previous meetings and a few new items. Mr. Goebel has stated that he

was doing something that was good for the neighborhood, but he would like to remind the Council that there are people that live in the neighborhood that do not agree with Mr. Goebel's comments and have voiced objections in previous meetings, as well as correspondence with Councilmembers. Mr. Vanderpool stated he would also like to point out that at previous meetings there was not one person from the neighborhood that spoke in favor of the rezoning. Mr. Goebel did speak on how well the apartments would fit in a two block radius, but he would like to talk about the immediate neighborhood. Directly across the street from Lot 1 to the north are one story R-1 homes, across the street to the west are one story R-1 homes, to the south, if their zoning request is passed, all properties would remain R-1 homes. This shows that the only structures that this apartment building would fit in with in the immediate neighborhood are the existing buildings on Lots 1, 2 and 3. Mr. Vanderpool stated one of the main concerns that he and his wife have is that there will be a lack of privacy if an apartment building is allowed to be built on the property. Mr. Vanderpool stated he sent an e-mail to the Council with pictures that he believe demonstrates what little benefit a fence would provide on these properties. As he has said before we do appreciate the recommendation for a fence to be built, we just doubt its effectiveness. Mr. Vanderpool stated he would also like to mention that in the Planning Commission on July 15th, the question was brought up about the maintenance of the property, specifically mowing. Mr. Goebel's response was that he mows the property weekly so he doesn't know what that has to do with anything. Mr. Vanderpool stated he would like to point out the property was mowed on Wednesday, August 14th, and then again on Wednesday, September 25th. Mr. Vanderpool stated he is not using this as an attack on Mr. Goebel, but bringing it up as an example of our concern as to how well a fence between our properties would be maintained. Mr. Vanderpool stated he would also like to bring up a few things he discovered while reading the minutes of previous Council meetings when this was discussed. In Ordinance No. 3723, the City placed six conditions on the rezoning of Lots 3 and 4. Condition No. 1 states that the site drainage problem be corrected as required by the City Engineer. Mr. Vanderpool stated he was curious as to what exactly the drainage problem was. In the past, there were a few occasions where the ground along the northeastern portion of the property line between the Vanderpool property and Lot 5 seemed extremely soggy. We cut down dying pine trees that were on the northern portion of the Vanderpool property line, but didn't think that until a week and a half ago. On the morning of October 3rd, after an overnight rainfall, we awoke to quite a bit of standing water between the properties. Mr. Vanderpool stated he took pictures of the standing water and e-mailed them to the Council. Mr. Vanderpool stated he does know that this was a significant amount of rain, but the standing water shows that there are drainage issues in the area. Mr. Vanderpool stated he would also like to point to Condition No. 4 of Ordinance No. 3723 that states that the area directly north of the east apartment building be developed with play equipment for use by tenant children and an area for outdoor family use be provided. Mr. Vanderpool stated he doesn't know exactly where that is suppose to have gone, but he knows that he has not seen anything like this on the existing properties. Mr. Vanderpool stated he is not attacking Mr. Goebel, but he is questioning how he can be assured that a fence will be built and maintained when there has been no enforcement of a condition that was placed on rezoning 13 years ago. Mr. Vanderpool stated he believes that the property should remain R-1 so it fits in

with the remainder of the immediate neighborhood. As was said in the previous Council meeting, there is always going to be a boundary property issue when two different types are adjacent. Mr. Vanderpool stated he does not believe that it is fair for him and his wife to have to take on the burden of bordering an apartment building and becoming a boundary property. Mr. Goebel owns the property and has owned it for several years, therefore, he should have to absorb the burden of being that boundary property and develop it accordingly. Mr. Vanderpool stated he is aware that this Council is not bound by previous Council decisions but as the City Administrator pointed out in his report on August 12th, this is not the first request to change the zoning on these properties. A previous Council was deadlocked on the issue and Mayor Sheehy voted against the rezoning. The only major changes in the area have been an ownership of surrounding properties. Mr. Vanderpool stated as he has said before, this Council is not bound by previous Council decisions, but nothing has changed so why should this zoning be allowed now.

Lisa Willett of 406 North 6th Avenue addressed the Mayor and Council in regard to Mr. Goebel's request to rezone Lot 5 of Meggan Subdivision. Mrs. Willett stated she was the previous owner of 500 North 6th Avenue and was the developer of that lot and all of the rest of the lots south of the development that Mr. Goebel has. Mrs. Willett stated she sent a packet of information to the Mayor and Council and most of that does explain what happened previously as far as what we went through with the Planning Commission and that they did require and want that area to remain an R-1 zoning.

Richard Johnson of 523 North 6th Avenue addressed the Mayor and Council in regard to Mr. Goebel's request to rezone Lot 5, Meggan Subdivision. Mr. Johnson stated he lives across the street from Lot 5 and Mr. Goebel, basically years back, said that Lot 5 would remain R-1 for the reason we negotiated and that was so he could build a couple of units on the other lot. Mr. Johnson stated he believes Lot 5 should remain R-1 because it would conform with the rest of the housing in the neighborhood and Mr. Goebel should be able to absorb that instead of making the other families suffer. Mr. Johnson stated if it was such a good thing for the neighborhood, why did Mr. Goebel move out of his home and turn it into apartments. Mr. Johnson stated he believes Mr. Johnson converted his home in apartments because he didn't want to live next door to apartments and why should the neighbors in the area have to.

REPORTS OF LIAISONS: Councilman Goebel stated he did attend the dedication of the Hastings Mural project adjacent to Eastside Boulevard; it is really a neat addition to the City of Hastings. The three artists (Dave Lowenstein, Rebecca Harrison and Amber Hansen) that basically designed and did a good part of the work will be putting the finishing touches on the art work in the next week or so. It is a great place to have it, it is visible while driving along Eastside Boulevard and more so on the hike/bike trail that goes right by there.

Councilman Goebel reported on the October 2nd Board of Public Works Meeting. There was a report that there were a number of short term electrical outages on October 2nd. The

thunderstorm tripped several breakers. Also there were some outages with the generation plants, WEC-I, the older plant, had a planned fall outage October 4th. WEC-II had a steam leak that had to be repaired late in September and then the turbine valve inspection that was planned. It sounds like a lot of outages for two local power plants, but the plants really did have a good run this summer and it sounded like the electrical market firmed up a bit. The Board also approved a recommendation from staff to award a contract for the CEMS (Continuous Emissions Monitoring System), it is an EPA requirement on WEC I. The Sanitary Sewer Rate Ordinance, No. 4359, and Sanitary Use Ordinance, No. 4360, will be acted on tonight by the Council. The Board approved those and the change that was made relates to commercial waste haulers and it includes a surcharge for materials that are brought to the Pollution Control Center that has a higher concentration that requires extra treatment. This new rate schedule will charge those haulers for what costs are extra to the Pollution Control Center. This does not change the residential rates that were previously adopted. The next meeting will be held on October 17th at 9:00 A.M. in the Utility Board Room.

Councilmember Skutnik reported on the Library Board Meeting. New officers were elected, Chris Wahlmeier is the new President, Sherri Andreason is Vice President and Faith Friesen is the Secretary. They are just coming off the tailgating fund raiser this weekend and it was very successful. Peter Fletcher will be at the Library on October 17th at 7:00 P.M.

Councilmember Peterson reported on the Mayor's Youth Council. There will be three students attending the National League of Cities Meeting in Seattle in November. Kaitlyn Grothen, President of the Mayor's Youth Council, will be attending, as well as Brenna Crawford and Jade Spady. The students have started working on their public service/community service activities. They also have begun visiting the senior centers in town.

Councilman Odom stated the Hastings International Exchange Organization has four visitors from Ozu, Japan this week. Also there has been discussion of trying to get a group from Hastings to go to Ozu next spring. 2015 will be the 20th anniversary of our sister city relationship with Ozu and while we might not have seen the economic impact that we were hoping for when we first started, there is always great potential for that and he for one hopes that the Council will continue to support the sister city relationship as we have in the past.

The Mayor stated he believes Frankie Wagner will be at the October 28th Council Meeting or the November 11th Council Meeting to speak to the Council about this. The Mayor stated he thought tentatively the trip to Ozu, which is a seven to ten day trip, is scheduled for mid to late May after school gets out.

MAYOR'S COMMUNICATIONS: The Mayor recognized Sergeant Jim Baldwin for 30 years of service with the Hastings Police Department.

Moved by Krings, seconded by Skutnik that the following items on the Consent Agenda be

approved:

- 1(a) Minutes of the Council Meeting of September 23, 2013.
- 1(b) Minutes of the Worksession of September 17, 2013.
- 1(c) Minutes of the Special Council Meeting of September 17, 2013.
- 2(a) Application of Murphy's Wagon Wheel, Inc. for a Special Designated License at the Adams County Fairgrounds on December 13, 2013.
- 2(b) Authorizing the City of Hastings to execute the Release of Easement with KAN and J Hospitality, LLC (Hastings Utilities).
- 2(c) Request of Hastings Lodge No. 50 to utilize city streets for the Annual Veterans Recognition Parade to be held at 10:00 A.M. on November 2, 2013.
- 4(a) Payroll for the period ending October 12, 2013, paid October 18, 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).
- 4(c) Authorizing the City Clerk to issue checks against the various funds for payment of pre-paid claims. (Pre-paid claims included in list of claims attached).
- 5(a) Department Monthly Reports received and placed on file.

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

Moved by Niemeyer, seconded by Hoops that Ordinance No. 4366 be brought from table. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

ORDINANCE NO. 4366

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, FOR THE PURPOSE OF AMENDING THE ZONING DISTRICT MAP AS DESIGNATED AND DESCRIBED IN SECTION 34-105 OF THE HASTINGS CITY CODE; TO REDESIGNATE THE DISTRICT CLASSIFICATION AFFECTING THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE; AND TO REVISE THE ORIGINAL DESIGNATIONS (Rezoning Meggan Subdivision,

Lot 5 from R-1, Urban Single Family Residential to R-P3, Multiple Family Residential Planned District with conditions).

Bob Sullivan, City Attorney, stated there was a motion to pass and approve at the last meeting so the Council can begin the discussion.

Councilman Goebel stated the first time this ordinance was brought before the Council, the way he looked at this is that Lot 5 had all utilities in, wide concrete street with curb and gutter and the owner wanted to build something. It looked as if it would be an improvement and that is why he voted in favor of the rezoning. Since then he has done a lot of reading of previous Council meetings and at the time the first vote was taken, he didn't really have the past history of the zoning in this area and has since then talked to several area residents. In the meeting of April 10, 2000 when the zoning was changed to allow the house on Lot 3 to be rebuilt into apartments and Lot 4 to have two four-plexes on it, Lot 5 was to remain R-1. Councilman Goebel stated he believes that was an acceptable agreement that was made at that time and that is the way it should remain, it would be a good place to build a single family house on or it could remain a green space as it basically is now. Councilman Goebel stated another concern he developed in some of his reading was the drainage, he will be voting against the ordinance tonight.

Councilman Niemeyer stated he knows this particular parcel of ground has been up for discussion a tremendous amount of time for such a small piece of land. Councilman Shoemaker was on the Council in 1998 and there was a lengthy discussion about the condition of the lot, drainage issues, etc. and there were some concessions made on Mr. Goebel's part to get some of his earlier developments done. Councilman Niemeyer stated he would like Mr. Goebel to explain what has changed since then, if it was ok to be R-1 then, why is there the need to change it to R-P3.

Mr. Goebel stated he originally wanted to rezone Lots 3, 4 and 5 as an R-3 zoning, but Dr. Yost wanted him to do a planned district and so as not to limit himself, he drew a planned district for four units on Lots 4 and 5, plus the old house being converted.

Councilman Niemeyer questioned if it has always been R-P3 or was it R-3.

Mr. Goebel stated he came back with an R-3 on Lot 5.

Councilman Niemeyer stated we amended the ordinance to make it an R-P3 and it puts a lot more restrictions on this and it puts a lot more ability on staff to make sure that the conditions are followed through with. Does know that there has been some comment about conditions that were placed on the other rezonings that were not necessarily all met and hopefully with this being a planned district will make it a little more restrictive on Mr. Goebel to make sure that he follows through. Councilman Niemeyer stated he does appreciate Mr. Vanderpool's position, he is right next door and has a very well kept property, takes pride in his home and is concerned

about his property. Councilman Niemeyer stated if he was in Mr. Vanderpool's position he would probably feel the same way he does, but having lived in that neighborhood when he first moved to town and seen the number of duplexes, four-plexes and mixed uses, he cannot see that changing this from R-1 to R-P3 is inappropriate. Councilman Niemeyer stated he will be voting in favor of the rezoning request.

Councilman Harrington stated he voted for the rezoning the first time and the Planning Commission did recommend in favor of the rezoning. The neighbors have concerns and he is sympathetic with them, but there are conditions placed on the rezoning which attempts to address the concerns of the neighbors. The conditions are a compromise and is the best of a difficult situation.

Councilman Niemeyer stated in going back over the conditions, he is really concerned about Mr. Vanderpool because he is directly to the south and doesn't see anything in the conditions where the drainage issue is addressed. There have been drainage issues with this property for as far back as we have documentation. Where in the planned district are we addressing the drainage concerns.

Rich Cartier, City Planner, stated as it currently is you are not addressing the drainage, but the Council could amend the ordinance and add that as another condition.

Councilman Krings asked Mr. Cartier asked how would we word that if that is something we wanted to add.

Mr. Cartier stated he would recommend something to effect that the drainage of Lot 5, at the time of construction, be configured so that the entire drainage be sloped to angle toward 6th Avenue. Mr. Cartier stated the point is that we need to drain the whole lot from the east side to the west side and it would have to slope downward towards 6th Avenue.

Councilman Niemeyer stated that is one of his main concerns, he would want a detailed drainage plan that would eliminate any impact that putting a concrete parking lot or adding elevation that would not increase the amount of drainage over to the south from the development.

Mr. Cartier stated you could add the condition that a drainage plan shall be submitted at the time of the building permit that would keep all water entirely on Lot 5 or divert it to the street.

Councilman Odom stated the drainage question is a very good one and asked the City Engineer that if we just had a drainage plan on one lot, wouldn't that force more water, even though it is suppose to drain to the street, onto the lots to the north and to the south.

The City Engineer stated yes that is correct.

Councilman Odom stated he understands what the drainage plan is for, but it should have been done on the whole development which is why we should have drainage plans now on the whole development not just piecemeal by piecemeal. If this were to pass, we would have another two story unit (four-plex) and he doesn't see anything in the six conditions that really protect an R-1 house right next to it. Councilman Odom stated it seems to him that we ought to consider a separate item that says construction of a single story, duplex style building. It would be a change for the developer, but it is something in the middle that might work. Councilman Odom stated he doesn't think that putting the same type of building on this lot especially when the purpose was to let the developer or whoever was buying that lot to build a house knowing that next to them is a 1½ story or two story building sitting there.

Councilmember Skutnik stated she sympathizes with Mr. Vanderpool, it is always scary when something goes in next door that you don't know, but with the planned district you are a lot better off because you have a lot more protection than if someone were to build a single family home because one single family home could be worse than the four-plex. Councilmember Skutnik stated she thinks of what is best for the City and believes this is what is best for the City.

Councilmember Peterson stated in regard to the drainage, to piecemeal and put slopes in just for one lot is not going to solve the drainage problems.

The City Engineer stated that that is correct.

Councilmember Peterson stated we have problems right now with the drainage and right now we can't fix it. We have had some conditions in the past that haven't been met so she knows there are some trust issues between the owners as to whether or not that these conditions will be followed through with. Councilmember Peterson stated that it was said that if it was a planned district there would be more teeth and that the conditions would be followed through with, questioned what are the teeth.

Mr. Cartier stated before the conditions were verbal agreements, now the conditions are in the ordinance and that makes it law and it is enforceable.

Councilmember Peterson stated then if there are problems with the fence or the mowing doesn't get done or the playground doesn't go up, what is done.

Mr. Cartier stated an enforcement order would be given to Mr. Goebel that he has to come into compliance and if he didn't then it would go to the City Attorney for prosecution.

Councilmember Peterson stated the question Councilman Niemeyer asked was important and that is what has changed, what has changed when it was agreeable before to have it be residential and now it is not and that was agreed upon by the Council and with the owners, doesn't know what has changed and there are drainage problems. Councilmember Peterson

stated she would hope there would be another way to work through this because Mr. Goebel should be able to build something, but isn't sure that what we have presented to us is the right way to go.

Moved by Odom, seconded by Niemeyer that Ordinance No. 4366 be amended to limit the construction to a single story duplex style building with garages.

Councilmember Skutnik questioned the difference between a 1½ story split level four-plex and single story.

Councilman Odom stated it may be legally a story and a half, but anybody that looks at it would call it a two story. A single story has the appearance of a house, and would provide some protection for the neighbors to the south. The Vanderpool home runs east/west instead of north/south and Mr. Goebel could literally, and doesn't believe he will, build that complex lengthwise on that lot and put it right next to their back yard.

Councilmember Skutnik stated if you leave the zoning R-1 would we have the same latitude in telling someone what to build on that lot, either a two story or one story home.

Mr. Cartier stated no we wouldn't.

Councilman Niemeyer stated he doesn't know if the amendment will go anywhere, but his concern is that there is a drainage issue on this property. The drainage issue potentially is going to be pushed off to the south onto Mr. Vanderpool's property if this is built upon. Councilman Niemeyer stated he doesn't have a problem with there being a four-plex on his property as long as the drainage issue is addressed and corrected. If that cannot be corrected and it is going to put more burden onto Mr. Vanderpool, then he is not in favor of the ordinance as it is written here. The drainage issue needs to be resolved and there needs to be a plan.

Councilmember Peterson questioned if a drainage issue study could be done before we make a decision on any of this.

Mr. Cartier stated the Council could ask that a drainage plan be submitted and approved by the City Engineer and Building Inspector prior to the issuance of a building permit.

Councilmember Hoops stated she believes that the information we are hearing from the neighbors is not necessarily the type of multi-family house that is being built there, but more about the drainage.

Vote on the amendment. Roll Call: Ayes: Harrington, Peterson, Odom. Nays: Niemeyer, Krings, Hoops, Skutnik, Goebel. The amendment fails.

Moved by Niemeyer, seconded by Krings that Ordinance No. 4366 be amended to add “that a detailed drainage plan, approved by the City Engineer, be submitted prior to the issuance of a building permit. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The amendment is passed and approved.

Councilman Goebel questioned if there wasn't more likely to be a drainage problem if there is a concrete pad with six parking stalls than if there is a one or two lane driveway on a lot.

The City Engineer stated yes, the more concrete you have the more run off there is. There are a lot of modern designs, there are other ways to capture and contain water. When the Willett Mobile Home Park was developed there was some substantial drainage improvements that did help out on 7th Street, but we would really need to look at the site survey in the area to see what is possible, to see if we could convey water between lot lines on the property, etc.

Councilman Goebel stated he feels that a multi-family house would probably have a bigger footprint than a single family home and the parking area would definitely be larger than a single family's driveway. If we vote for the R-P3 zone then he believes we are expanding two problems at one time.

Councilman Krings moved that the statutory rule requiring reading on three different days be suspended; Councilmember Skutnik seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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 if we raise one lot out of ten in that area, all you are going to do is push whatever water would have flowed to the back is now going to flow not only to the front if you can get it that high, but it is going to flow off to the side which makes it worse. This is a bad drainage area and should stay a R-1 zoning.

Councilmember Skutnik stated a building permit will not be issued if that drainage plan is not acceptable.

The Mayor then stated the question was “Shall Ordinance No. 4366 as amended be passed and adopted?” Upon roll call vote the following Councilmen voted YEA: Harrington, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: Peterson, Odom, 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 October 30, 2013.

The Mayor stated if there were no objections from the Council, he would like to consider items 4(c), resolution calling for early redemption of outstanding Series 2008 Various Purpose Bonds, 4(d), authorizing issuance of Refunding Bonds, Series 2013B, refunding Series 2008 Various Purpose Bonds, and 4(e), authorizing issuance of Bond Anticipation Notes, Series 2013, at this time. There were no objections from the Council.

Phil Lorenzen of D. A. Davidson & Company stated on page 3 of the information sent refers to the balance of a \$1,750,000 issue of Various Purpose Bonds dated back in November of 2008. Those bonds reached their five year call option on November 15th of this year. The balance of the bonds totals \$1,650,000 of which there is a \$100,00 payment due on December 15th which leaves an unfunded balance beyond 2013 of \$1,550,000. The average interest rate on the bonds is 4.8% and his calculations show that we should be, in this market, able to reduce the average interest rate on that from the 4.8% down to approximately a 2% coupon rate. If you haven't noticed, we still have uncertainty in Washington, D.C., this is the week we deal with whether or not we raise the debt limit. We still don't have a budget report out, there is still conflict over that. The market is a little topsy turvy and at the rates he projects we would have two actions to consider. One would be a resolution that calls the outstanding bonds and they are only called if we are successful in marketing the refunding issue. The numbers in the packet shown on Page 7 find that the estimated savings is approximately \$280,000. Mr. Lorenzen stated he used the same rates that we were successful with in marketing an issue in Columbus last week so approximately 2% would be the average rate. The true interest cost would be about a 2.3% when you consider the transaction costs and that saves \$280,000. Mr. Lorenzen stated his recommendation is, given the uncertainty in the market place, that the Council would afford the latitude to go as high as a 2.25% rate and that would manifest itself to a savings of about \$260,000. Mr. Lorenzen stated he would like that latitude in order to get it marketed and get it done. If we can't achieve it at \$260,000, his view would be that he come back at the next Council Meeting and approach the matter. Mr. Lorenzen stated he would like to go ahead and get it marketed promptly before we have to fuss with where Congress is going in terms of debt limits. His recommendation is to consider adoption of the resolution calling the bonds and follow that with consideration of the ordinance waiving the three statutory required rules.

RESOLUTION NO. 2013-48. . .Calling for early redemption of outstanding Series 2008 Various Purpose Bonds. (Resolution attached to and made a part of these minutes).

Moved by Odom, seconded by Krings that Resolution No. 2013-48 be passed and approved.
Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.
Nays: None. The motion carried.

ORDINANCE NO. 4375

AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013B, OF THE

CITY OF HASTINGS, NEBRASKA IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) TO REFUND AND RETIRE, TOGETHER WITH FUNDS ON HAND, \$1,550,000 VARIOUS PURPOSE BONDS, SERIES 2008, OF THE CITY OF HASTINGS DATED NOVEMBER 15, 2008; PRESCRIBING THE FORM AND CERTAIN DETAILS OF THE BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM

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

Councilman Krings moved that the statutory rule requiring reading on three different days be suspended; Councilman Skutnik seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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. 4375 be passed and adopted?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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 October 30, 2013.

ORDINANCE NO. 4376

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES, SERIES 2013, OF THE CITY OF HASTINGS, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000), FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR A PORTION OF THE COSTS OF CONSTRUCTING IMPROVEMENTS IN ALLEY IMPROVEMENT DISTRICT NO. 2013-1 AND STREET IMPROVEMENT DISTRICT NOS. 2013-1, 2013-2 AND 2013-3 PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE GENERAL OBLIGATION BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; AND ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN

PAMPHLET FORM.

Said Ordinance was read by title and thereafter Councilmember Skutnik moved for passage of the ordinance. Ordinance dies for lack of a second.

At this time a public hearing was held on the application of Joseph Vanderpool and Holly Wittenback-Vanderpool to rezone property from I-1 Light Industrial to R-1 Urban Single Family Residential (Lot 1, Willet Subdivision)

Joe Vanderpool of 500 North 6th Avenue appeared to speak on behalf of his application to rezone. Mr. Vanderpool stated they would like their property rezoned to something they presumed that it already was and trying to get it to fit within the majority of the neighborhood.

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.

ORDINANCE NO. 4371

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, FOR THE PURPOSE OF AMENDING THE ZONING DISTRICT MAP AS DESIGNATED AND DESCRIBED IN SECTION 34-105 OF THE HASTINGS CITY CODE; TO REDESIGNATE THE DISTRICT CLASSIFICATION AFFECTING THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE; AND TO REVISE THE ORIGINAL DESIGNATIONS (Rezoning Lot 1, Willett Second Subdivision from I-1 Light Industrial to R-1 Urban Single Family Residential)

Said Ordinance was read by title and thereafter Councilman Harrington moved for passage of the ordinance, which motion was seconded by Councilman Niemeyer. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Ordinance No. 4371 passes on 1st reading only.

Moved by Odom, seconded by Goebel that the Council reconsider the first reading of Ordinance No. 4371. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Councilman Krings moved that the statutory rule requiring reading on three different days be suspended; Councilmember Skutnik seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings,

Hoops, Skutnik, Goebel. NAY: None. 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. 4371 be passed and adopted?” Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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 October 30, 2013.

At this time a public hearing was held on the request of Tom Balfour for a Conditional Use Permit to allow for climate controlled, interior accessed, self-storage units at 1110 West “J” Street.

Tom Balfour of 528 Madden Road appeared to speak on behalf of his application for a Conditional Use Permit. Mr. Balfour stated we have had requests for storage units and we have to turn them away and send them to other towns.

No one appeared to speak in opposition.

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

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

Moved by Harrington, seconded by Peterson that the Mayor and Council approve the request of Tom Balfour for a Conditional Use Permit to allow for climate controlled, interior accessed, self-storage units at 1110 West ‘J’ Street, subject to the following conditions:

1. Prior to construction, all building permits shall be applied for and renewed by the Building Inspector.
2. All exterior lighting shall be of cut-off type to prevent off-site glare.
3. All lighting shall meet the requirements of Tables 305-10 and 305-11 of Section 34-505.5 for heights and shielding and from 34-305.5c regarding general standards for exterior lighting.
4. All storage shall be kept within an enclosed building.

5. No long term parking outside including but not limited to RV's, vehicles, trailers, campers, boats or watercraft.
6. Building setbacks shall be the same as in the C-3 District.
7. Six (6) parking spaces shall be provided, plus one additional space for each employee (if any). Internal drives and parking shall comply with Section 34-308 of the Chapter for paving requirements.
8. Storage units shall be limited to the existing building. Any additional units constructed would require the Conditional Use Permit to be amended.
9. Any sign shall be limited to one ground pole sign at the entrance to the premises. Not more than thirty-two (32) square feet in area shall be permitted with a maximum height of ten (10) feet.
10. Commercial Activity: It shall be unlawful for any owner, operator or lessee of any self service storage facility of 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 34-804 of the Hastings City Code. Any violation may be cause for revocation of the Conditional Use Permit by the City Council.
11. 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 (24) month period, the plan shall be null and void unless the time for start of construction has been extended by the Council.
12. The site shall have direct paved access to U.S. Highway 6/West "J" Street at the time Lot 2 and/or Lot 7 of Tonkinson's Subdivision is replatted and/or developed and within a maximum time frame of 24 months since the final approval of the Conditional Use Permit.
13. Loading docks shall be prohibited and loading areas to storage bays shall be at the same elevation as the means of vehicular access thereto.
14. Landscaping, where applicable, shall be provided in areas outside any fences between the fence and the property line.
15. Repair, reconditioning and fabrication prohibited: Because of the danger from

fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture, and the storage of any propane or gasoline storage tank is prohibited within or outside any structure on a tract of land designated as a self service storage facility. This provision shall be posted and be included in the tenant's lease agreement.

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

At this time a public hearing was held on the request of The Well for a Conditional Use Permit to allow a Church at 522 South Elm Avenue.

Joe Marino, Pastor of The Well, appeared to speak on behalf of the Conditional Use Permit application.

No one appeared to speak in opposition.

The City Clerk stated she received one objection from James LaPorte of 523 South Bellevue and asked that his letter be entered into the record.

The Mayor so ordered.

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

Moved by Goebel, seconded by Krings that the Mayor and Council approve the request of The Well for a Conditional Use Permit to allow a Church at 522 South Elm Avenue, subject to the following conditions:

1. All signage shall be subject to the provisions of the City's sign code and reviewed by the Building Inspector for compliance.
2. 23 onsite parking stalls shall be provided, subject to the City Code.
3. Church occupancy shall be kept to a maximum of 75 people.
4. The outside of the property shall be kept mowed and free of any nuisances as defined in Chapter 18 of the Hastings City Code.
5. Prior to occupancy by the Church, the site shall be inspected and approved by the Fire Inspector and the Building Inspector so any and all Fire and Building Codes can be addressed.

6. No accessory uses such as day care facility, school or kindergarten shall be permitted on site. Children's activities, nurseries or "Sunday School" are exempt and allowed during Church related functions.
7. A letter from the property owner shall be provided to the City stating the property adjacent and to the north can be used for additional overflow parking.
8. Church functions and activities shall be kept contained to the interior of the building to mitigate noise issues with the surrounding neighborhood.

Councilmember Skutnik questioned the loud music late at night.

Pastor Marino stated our gatherings there have typically ended by 9:00 P.M. and we have Sunday morning gatherings. We did talk to the neighbor behind us and we haven't done anything late at night since then. Sunday mornings we took our base guitar and our drums out and went more acoustic to quiet things down.

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

ORDINANCE NO. 4373

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, VACATING FURRY SUBDIVISION AS LEGALLY DESCRIBED BELOW; PROVIDING FOR FILING OF SAME WITH THE REGISTER OF DEEDS; REPEALING INCONSISTENT PROVISIONS; AND ESTABLISHING AN EFFECTIVE DATE

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

Councilman Krings moved that the statutory rule requiring reading on three different days be suspended; Councilmember Skutnik seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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. 4373 be passed and adopted?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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 October 30, 2013.

Moved by Hoops, seconded by Niemeyer that the Mayor and Council approve the Preliminary Plat of Nunley Third Subdivision. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

At this time a public hearing was held on the request of Roger Nunley to rezone proposed Nunley Third Subdivision from A Agricultural to R-1A Single Family Large Lot.

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.

ORDINANCE NO. 4372

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, FOR THE PURPOSE OF AMENDING THE ZONING DISTRICT MAP AS DESIGNATED AND DESCRIBED IN SECTION 34-105 OF THE HASTINGS CITY CODE; TO REDESIGNTE THE DISTRICT CLASSIFICATION AFFECTING THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE; AND TO REVISE THE ORIGINAL DESIGNATIONS (Rezoning Nunley Third Subdivision from A Agriculture to R-1A Single Family Large Lot)

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

Councilman Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilmember Peterson seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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. 4372 be passed and adopted?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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 October 30, 2013.

At this time a public hearing was held on the application of El Pun Pun, Inc. dba "Phoenix Nightclub" for a Class "C" Liquor License at 212 West 2nd Street.

Lorna Renken appeared to speak on behalf of the liquor license application.

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. 2013-46

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 El Pun Pun, Inc. dba "Phoenix Nightclub" for a Class "C" Liquor License for the license period ending October 31, 2014, at 212 West 2nd 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 Harrington, seconded by Niemeyer that Resolution No. 2013-46 be passed and approved. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Skutnik, seconded by Krings that the Mayor and Council approve the Manager Application of Lorna C. Renken in connection with the Class "C" Liquor License of El Pun Pun, Inc. dba "Phoenix Nightclub" to be located at 212 West 2nd Street. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Niemeyer, seconded by Odom that the Mayor and Council approve awarding contract for Stack CEMS Enclosure Extension at WEC-1 to Judd Brothers Construction of Lincoln, Nebraska in the amount of \$209,500.

Marvin Schultes, Utilities Manager, stated this is a budgeted item in the budget and this is on the Continuous Emissions Monitoring System and Closure Extension at WEC-1. There were four bids submitted and the recommendation is to the low bidder, Judd Brothers of Lincoln, Nebraska.

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

Moved by Harrington, seconded by Skutnik that the Mayor be authorized to sign grant application for Supplemental Comprehensive Revitalization funding to pave East "D" Street. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Hoops, seconded by Niemeyer that the Mayor and Council approve fair housing item for Comprehensive Revitalization grant and to affirmatively further fair housing by development of a Community Fair Housing web page which prominently displays the community's commitment for further fair housing on the community web site including links to fair housing enforcement and education agencies. Roll Call: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

ORDINANCE NO. 4359

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, ESTABLISHING FAIR AND EQUITABLE RATES FOR SANITARY SEWER USE AND FOR THE DISPOSAL OF SPECIAL WASTEWATER AND GRIT INTO THE SEWER COLLECTION AND TREATMENT SYSTEM OF THE CITY OF HASTINGS, NEBRASKA, ESTABLISHING THE EFFECTIVE DATE FOR SAID RATES AND REPEALING ANY ORDINANCES OR OTHER PROVISIONS IN CONFLICT THEREWITH

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

Councilmember Skutnik 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, Hoops, Skutnik, Goebel. NAY: None. 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 Krings asked if it was safe to say that we will see a significant increase in our sewer rates as a result of the construction that is going on out there.

Mr. Schultes stated this ordinance doesn't impact that, this rate ordinance is just for surcharges for extra strength sewage. What the Council passed last year were rate adjustments for the next several years which is because of the construction at the Wastewater Treatment Plant. This ordinance doesn't change that this just establishes surcharges for people that dump extra strength sewage out there.

The Mayor then stated the question was "Shall Ordinance No. 4359 be passed and adopted?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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. 4359 be passed and adopted?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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 January 1, 2014.

ORDINANCE NO. 4360

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S); AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN THE CITY OF HASTINGS, NEBRASKA

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

Mr. Schultes stated this is an update of an existing sanitary sewer use ordinance, it just updates it based on the other action, but it doesn't change significantly. It identifies what can be dumped into the sanitary sewer and what can't be dumped.

Councilman Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilman Goebel seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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. 4360 be passed and adopted?” Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. 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 October 30, 2013.

Moved by Niemeyer, seconded by Hoops that the Mayor and Council go into Executive Session for the discussion of economic development negotiations at 8:30 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Niemeyer, seconded by Krings that the Mayor and Council go out of Executive Session into Regular Session at 9:10 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Niemeyer, seconded by Hoops there being no further business to come before the Council, the meeting adjourn at 9:10 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)