

COUNCIL CHAMBERS, MONDAY, JANUARY 13, 2014 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 Niemeyer, seconded by Hoops 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 January 10, 2014, 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.

REPORTS OF LIAISONS: Councilman Goebel reported on the January 2nd Board of Public Works Meeting. WEC I and II generations have been going good, there have been no outages and sales of excess power has been good. There was approval of a community branding request from the Economic Development Marketing Fund to promote a Hastings Branding proposal. An initial amount of \$25,000 to get it started was approved and Steve Cogley will be the representative to represent Hastings Utilities to the group administering this program. There was an approval to purchase land for the proposed Water Treatment Plant and the Wastewater Storage Facility for that. It not only involves purchase of the land, but a Land Use Agreement with it so that high nitrate water that is put into a storage lagoon on this property can be used in a center pivot irrigation system for ag purposes which is really a good recycle reuse program; it will give Hastings Utilities a good location for their treatment plant and above storage of the high nitrate water that needs to be dealt with. The next Board of Public Works meeting is January 16th at 9:00 A.M. at the Hastings Utilities Board Room.

Councilman Goebel state the Mayor's Youth Council will be meeting January 20th at 6:45 P.M. in the 2nd Floor Meeting Room of City Hall.

Councilmember Skutnik stated she wanted to say kudos to those involved with The Lark. She was able to attend the listening room series this weekend and what a great venue and event for the City this is.

CITIZEN COMMUNICATIONS: None.

MAYOR'S COMMUNICATIONS: The Mayor recognized Steve Johnson for 15 years of service with the Development Services Department.

The Mayor congratulated Luke Chamberlain on advancing to the rank of Eagle Scout. Luke indicated his goal is to earn all 120 merit badges and right now he is at 64.

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

- 1(a) Minutes of the Council Meeting of December 9, 2013.
- 2(a) Authorizing the City of Hastings to execute a Public Use Easement with Adams County (Hastings Utilities).
- 4(a) Payroll for the period ending January 18, 2014, paid January 24, 2014.
- 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).
- 5(a) Department Monthly Reports received and placed on file.

Councilman Goebel stated on the police report, it looks like on both the November and the December report that the November statistics were used.

Police Chief Pete Kortum stated he would correct that and get the revised December report to the Mayor and Council.

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 Terry Gangwish, Max Anderson and Tony Anderson to rezone Gangwish Subdivision Number 3 from A, Agriculture to R-1A, Single Family Large Lot Residential.

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. 4383

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND
THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS,
NEBRASKA AS PROVIDED IN SECTION 34-105 OF THE OFFICIAL HASTINGS

CITY CODE; TO REZONE THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM A, AGRICULTURE TO R-1A, SINGLE FAMILY LARGE LOT RESIDENTIAL; TO REPEAL ANY ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT (Rezoning Gangwish Subdivision Number 3 from A, Agriculture to R-1A, Single Family Large Lot Residential)

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

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, 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. 4383 be passed and adopted?” Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: 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 29, 2014.

Moved by Harrington, seconded by Niemeyer that the Mayor and Council approve the Preliminary/Final Plat of Gangwish Subdivision Number 3. 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 application of Raenae Rollins dba “The Shed” for a Class “CK” Liquor License to be operated at 1104 West “J” 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.

RESOLUTION NO. 2014-1

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 RAENAE ROLLINS dba "The Shed" for a Class "CK" Liquor License for the license period ending October 31, 2014, at 1104 West "J" 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 Niemeyer, seconded by Hoops that Resolution No. 2014-1 be passed and approved. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Krings, seconded by Niemeyer that the Mayor and Council award the bid for three 2014 All-Wheel Drive Police Interceptors to Hastings Ford of 3101 Osborne Drive West, Hastings, NE 68901, in the amount of \$24,742.00 each, less trade-in amount of \$1,300 for three vehicles, for a total purchase price of \$72,926.00.

Councilman Krings questioned if there was only one trade-in or are there three trade-ins.

Police Chief Kortum stated there are three trade-ins.

Councilmember Peterson stated we used to have a Green Committee in Hastings and were fortunate to receive some funds from YAHOO. One of the things we purchased from those funds was a hybrid car for the Police Department. Information was to be provided on whether the hybrid is something we would want for city vehicles, whether they be police vehicles or vehicles for other departments. Councilmember Peterson stated she is assuming that the hybrid vehicle would not have met the specifications for a police cruiser, but she would like some information on the hybrid, whether you would recommend in the future that we look at hybrids for the Police Department and/or other departments of the City.

Councilman Goebel stated he knows the Ford Police Interceptor comes in both a sedan and a utility vehicle; questioned if these are the sedans.

The Police Chief stated these will be sedans, the utility vehicles are something that we would perhaps consider in the future, Kearney and Grand Island have them. We got feedback from both Kearney and Grand Island on the sedans and the feedback was positive. Kearney and Grand Island have utility vehicles now and we are going to wait that out.

The Mayor questioned if these new vehicles would be the black and white scheme.

The Police Chief stated yes they will be.

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

Moved by Odom, seconded by Harrington that the Mayor and Council adopt the DBE (Disadvantaged Business Enterprise) Program for the Hastings Municipal Airport.

Dave Wacker, City Engineer, stated we receive federal funds to improve the airport and this is a requirement for receiving those federal funds. We are following a federal format that the City Attorney reviewed and we feel it is in order. If the Council does approve this, the adoption of the policy must be advertised. We are moving ahead with about a \$500,000 project and we are hopeful to begin advertising in February for improvements at the airport.

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

Moved by Niemeyer, seconded by Skutnik that the Mayor be authorized to submit a letter requesting a two year extension of the current Memorandum of Understanding (MOU) with the Department of Economic Development Corporation regarding CDBG Grant No. 07-ED-005, speculative building at Industrial Park North.

Dave Rippe, Director of the Hastings Economic Development Corporation, stated as most of you are aware, the Hastings Economic Development Corporation has roughly 1.5 million dollars committed to a 97,500 square foot speculative investment building at Industrial Park North. Part of the financing for that is a Community Development Block Grant that comes through the State to the City and ultimately to the recipient, Hastings Economic Development Corporation. That loan was initiated in 2007 on a five year note and that expired in 2012. We have worked with the State to extend that through 2014 and 2015 as we continue to try to market and sell the building. This last year we vamped up our marketing efforts, having some different conceptals done for the building, completing a dedicated website for the building and doing an extensive mailing to many companies around the country, over 400 brokers and Nebraska businesses.

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

ORDINANCE NO. 4384

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 39-302 OF THE OFFICIAL CITY CODE TO PROVIDE FOR A CHANGE OF WHO MAY BE APPOINTED TO THE CITY TREE BOARD FOR THE CITY OF HASTINGS, NEBRASKA; TO REPEAL ANY ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT

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

The Mayor stated our main goal for this is to widen our talent pool members. We are having an increasingly hard time finding people to fill board seats and thought if we went out the two miles that maybe we could pick up areas that we are missing right now. The Mayor stated he would also like to do that with the Library Board, we will have the City Attorney research that.

Councilman Odom stated he didn't see a comment section from staff, when reading it he had a hard time figuring out exactly what we were changing. Councilman Odom stated he wishes that we would show the existing ordinance with the stricken words in it.

Councilmember Skutnik questioned if now is the time to clean up the ordinance because it makes reference to "Community Forest Manager" shall be ex-officio member of the City Tree Board; we don't have a Community Forest Manager.

Jeff Hassenstab, Parks & Recreation Director, stated that that is correct, we are looking at updating the entire City Code so the Parks & Recreation Department will clean that up with help from the City Attorney.

Joe Patterson, City Administrator, stated we are going to go through the City Code, cover to cover. All departments are working through their respective sections of the City Code and the Council will be getting a document showing the old City Code and the recommended changes. As we get them done we can bring them to the Council.

Councilman Krings 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. 4384 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 29, 2014.

Moved by Odom, seconded by Hoops that the following appointments made by the Mayor be approved:

Board of Adjustment: Reappoint Tom Wissing, term to expire 7/1/2014

Reappoint Dale Hamburger, term to expire 7/1/2016

Board of Appeals: Reappoint Todd Kwiecinski, term to expire 11/1/2018
Appoint Richard Klamm, term to expire 11/1/2017

Planning Commission: Reappoint Marshall Gaines, term to expire 2/1/2016
Reappoint Chuck Rosenberg, term to expire 2/1/2016
Reappoint Dale Hamburger, term to expire 2/1/2016

Tree Board: Appoint Matt Fong, term to expire 11/15/2016
Appoint Ethan Stout, term to expire 11/15/2016

Civil Service Commission: Reappoint Rick Schnase, term to expire 7/1/2018

Housing Authority: Reappoint Diane Hancock, term to expire 7/1/2014

Museum Board: Reappoint Angela Pinkerman, term to expire 7/1/2018

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

Moved by Niemeyer, seconded by Skutnik there being no further business to come before the Council, the meeting adjourn at 7:26 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)

1-13-2014