

COUNCIL CHAMBERS, TUESDAY, FEBRUARY 25, 2014 AT 7:00 P.M.

The meeting was called to order in regular session by Mayor Powers with the following members present: Niemeyer, Krings, Hoops, Skutnik, Goebel. Absent: Harrington, Peterson, Odom.

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 February 21, 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: Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: Harrington, Peterson, Odom. The motion carried.

CITIZEN COMMUNICATIONS: None.

REPORTS OF LIAISONS: Councilman Goebel stated he, the Mayor, City Administrator and a couple of other Councilmembers were able to attend the League of Nebraska Municipalities meeting yesterday and today in Lincoln. Councilman Goebel stated he was able to meet with Senator Tom Carlson who is the Chairman of the Natural Resources Committee and also Chairman of the Water Funding Task Force, and was able to give him a few ideas from Hastings Utilities and maybe see if we can't get some partnership with the State. Councilman Goebel stated he let Senator Carlson know that he believes Hastings Utilities is doing some things with water quality and making use of existing wells as efficiently as possible and that some of the things that we are doing here in Hastings is not only applicable in our community, but in lots of other communities in the State who are having similar problems with nitrates and other things in their water. Councilman Goebel stated he also attended a meeting about the First Net Broad System which is something that in the near future will affect emergency management, first responders, etc. and it is something that we will have to work with here at the local level. Councilman Goebel stated there was also a good meeting on Crisis Management and we picked up some ideas that hopefully we don't have to use, but should the need arise we have some information. Councilman Goebel stated the next Board of Public Works Meeting is February 27, 2014 at 9:00 A.M. at the Hastings Utilities Board Room.

MAYOR'S COMMUNICATIONS: None.

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

- 1(a) Minutes of the Council Meeting of February 10, 2014.
- 2(a) Application of Midtowne Mart LLC for a Special Designated License at the City

Auditorium on June 28, 2014.

2(b) Receive and place on file City of Hastings Financial Report for the fiscal year ending September 30, 2013.

4(a) Payroll for the period ending March 1, 2014, paid March 7, 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).

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

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

The Mayor stated he does own one of the businesses that are in the incremental annexations and he would not be chairing or taking part in any discussion; Council President Krings will Chair the meeting at this time.

At this time a public hearing was held on the incremental annexations of the 5th and final 20% of Central Logistic Services, Inc., the 3rd 20% of Centennial Plastics-HEDC and the 2nd 20% of PMP, LLC.

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. 4385

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF AND ANNEX TO THE CITY OF HASTINGS, NEBRASKA, CERTAIN CONTIGUOUS AND ADJACENT LANDS OUTSIDE OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA; AND TO PROVIDE FOR SERVICE BENEFITS THERE-TO (Annexing the 5th and final 20% of Central Logistic Services, Inc. into the limits of the City of Hastings)

Said Ordinance was read by title and thereafter Councilman Niemeyer moved for passage of the

ordinance on first reading only, which motion was seconded by Councilmember Skutnik.

The Mayor then stated the question was “Shall Ordinance No. 4385 be passed on first reading only?” Upon roll call vote the following Councilmen voted YEA: Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. ABSENT: Harrington, Peterson, Odom. Ordinance No. 4385 passed on 1st reading only.

ORDINANCE NO. 4386

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF AND ANNEX TO THE CITY OF HASTINGS, NEBRASKA, CERTAIN CONTIGUOUS AND ADJACENT LANDS OUTSIDE OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA; AND TO PROVIDE FOR SERVICES BENEFITS THERE-TO (Annexing the 3rd 20% of Centennial Plastics-HEDC into the limits of the City of Hastings)

Said Ordinance was read by title and thereafter Councilman Goebel moved for passage of the ordinance on 1st reading only, which motion was seconded by Councilmember Hoops.

The Mayor then stated the question was “Shall Ordinance No. 4386 be passed on 1st reading only?” Upon roll call vote the following Councilmen voted YEA: Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. ABSENT: Harrington, Peterson, Odom. Ordinance No. 4386 passed on 1st reading only.

ORDINANCE NO. 4387

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF AND ANNEX TO THE CITY OF HASTINGS, NEBRASKA, CERTAIN CONTIGUOUS AND ADJACENT LANDS OUTSIDE OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA; AND TO PROVIDE FOR SERVICES BENEFITS THERE-TO (Annexing the 2nd 20% of PMP, LLC into the limits of the City of Hastings).

Said Ordinance was read by title and thereafter Councilmember Hoops moved for passage of the ordinance on 1st reading only, which motion was seconded by Councilman Niemeyer.

The Mayor then stated the question was “Shall Ordinance No. 4387 be passed on 1st reading only?” Upon roll call vote the following Councilmen voted YEA: Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. ABSENT: Harrington, Peterson, Odom. Ordinance No. 4387 passed on 1st reading only.

Mayor Powers resumed chairing the meeting.

Moved by Niemeyer, seconded by Krings that the Council approve Lease Agreement between the City of Hastings and the Hastings Housing Authority to utilize office space in the City Building and that the Mayor be authorized to execute said Lease Agreement.

Joe Patterson, City Administrator, stated the Hastings Housing Authority is in need of office space; their current location has become too expensive for them to continue to pay the rent at the rate they are being charged and still provide the rent assistance that the program utilizes to help our citizens. Approximately six or eight months ago, the Mayor came to him and asked if we could find a place in one of our city facilities. The City Administrator stated he put this on staff, and he is very proud of the fact that the Finance Department stated they would move over to the south side of the first floor and share some open space with the Development Services Department. The City Administrator stated Finance and Personnel will be moving over and the Hastings Housing Authority will occupy the space on the first floor of City Hall, directly behind the City Council Chambers. This will give them the privacy they need for dealing with their customers and allows the City to generate a little more additional income. The City Administrator stated Rick Ruzicka of the Hastings Housing Authority is at this meeting if you have any questions of him.

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

Moved by Niemeyer, seconded by Goebel that the Mayor and Council approve the Hastings Marathon Route, subject to the following requirements:

1. Race organizer provide Certificate of Liability Insurance no later than June 15, 2014, naming City of Hastings as an additional named insured, in the amount of \$2 million per occurrence.
2. Reader Board signage be deployed no later than Thursday, June 19, 2014, notifying public of the Marathon on Saturday, June 21, 2014. Copy on Reader to be determined at pre-race meeting provided for later. Signage to be arranged by City and organizer to pick up and pay for.
3. Reader Board to be located at 33rd Street and Highway 281 for southbound traffic and just north of 16th Street and Burlington Avenue for northbound traffic.
4. Police to be located on both directions (north and south) at intersection of Kansas Avenue and Highway 281 starting at 7:00 A.M. on Saturday, June 21,

2014.

5. Police cruisers to be located in Highway 281 median, 300 feet north and south of intersection of Kansas Avenue and Highway 281 with light bar on starting at 7:00 A.M. on Saturday, June 21, 2014.
6. Police shall activate the traffic signals to flashing red at intersection of Kansas Avenue and Highway 281 starting at 7:30 A.M. on Saturday, June 21, 2014.
7. Race cut-off time is 9:30 A.M. on Saturday, June 21, 2014 which means if runners have not passed the intersection of Kansas Avenue and Highway 281 by 9:30 A.M., they become pedestrians and are no longer in the Marathon. Police to return traffic signals to normal function at 9:30 A.M.
8. Full barricade for half-Marathon shall be in place. City and County to drop off barricades and organizer to set up all barricades except for the intersection of Baltimore Avenue and the UP Railroad Track which will be set up by the City.
9. Organizer to recruit and train all volunteers to be used for the Marathon.
10. Organizer to coordinate signage and any closing required on Baltimore Avenue with the County and Sheriff's Department.
11. Organizer to provide advance notice to all residents along the Marathon route, especially in the Lochland, Lake Hastings and Hastings College areas - notice by handbills, public service announcement, etc.
12. Organizer and City to have a pre-Marathon meeting to review and follow up on details necessary on or about June 14, 2014.
13. Organizer will be responsible for coning off the east-bound lane on 12th Street from Elm Avenue north for Marathon and half-Marathon.
14. Organizer to secure permission from Hastings College to utilize College property for the Marathon pre-race registration, Marathon start and use of College sidewalks as part of the route.
15. Organizer to provide City with copy of contestant rules at the pre-Marathon meeting on or about June 14, 2014.
16. City and organizers reserve the right to amend or modify these requirements

as needed to ensure the safety of participants and reduce the liability exposure of both the City and the organizer.

Councilman Krings stated he sees that Ron Alexander is at this meeting and asked him if he had any concerns with the requirements being asked of him.

Mr. Alexander stated he has no concerns regarding the requirements.

Councilman Krings applauded Mr. Alexander, staff and everyone that has worked on this in coming together and figuring out a way to make this happen and he appreciates everyone's hard work.

Councilman Goebel asked the City Engineer if there were any concerns on the route and about how it would need to be signed.

Dave Wacker, City Engineer, stated he believes we have addressed most of those in the conditions where we felt police activity was necessary; they are going to be deployed to those areas. Last year we had a half-marathon race in which we had a number of barricades that were placed on site by the users and those will still be delivered on site and the representatives involved in the race will be placing those. We have reduced the crossing of the highway at Kansas Avenue and that will be handled by placing the traffic signal and flashing red mode and the Police Department will be at that location directing traffic for individuals to cross over. There is actually a finish time in the race of 9:30, if you haven't made it to that particular point, you will be out of the race and turn into a pedestrian. The City Engineer stated he felt all of the crucial areas have been worked out regarding the areas of public safety and concerns that we have had. There are a number of conditions that are spelled out that we hope make the event a very successful one.

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

RESOLUTION NO. 2014-6

Whereas: City of Hastings is developing a transportation project for which it intends to obtain Federal funds;

Whereas: City of Hastings as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

Whereas: City of Hastings and Nebraska Department of Roads wish to enter into a

Professional Services Agreement to provide utility services for the Federal-aid project.

Be It Resolved: by the City Council of the City of Hastings, Nebraska that

Vern Powers, Mayor of the City of Hastings, is hereby authorized to sign the attached construction engineering services agreement between the City of Hastings, Nebraska and Nebraska Department of Roads.

NDOR Project Number: URB-5505(4)

NDOR Control Number: 42704

NDOR Project Description: Baltimore 12th - 14th

Moved by Goebel, seconded by Skutnik that Resolution No. 2014-6 be passed and approved. Roll Call: Ayes: Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: Harrington, Peterson, Odom. The motion carried.

RESOLUTION NO. 2014-7

WHEREAS, pursuant to Chapter 30, Article 21 of the Revised Statutes of the State of Nebraska, the City of Hastings, Nebraska, has established a One and Six Year Plan for street improvements based on priority needs and contributions to the orderly development for an integrated statewide system for highways, roads and streets in the State of Nebraska and the City of Hastings, and;

WHEREAS, the City of Hastings, Nebraska, a municipal corporation, has pursuant to Section 39-2119 of said statutes conducted a local public hearing thereon, and;

WHEREAS, a public hearing was held by the Planning Commission on February 17, 2014 at 220 N. Hastings Avenue, and;

WHEREAS, following the hearing the Planning Commission approved the plan as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

Section 1. That the One and Six Year Plan as requested by the City Engineer and recommended by the Planning Commission of the City of Hastings, Nebraska, is hereby approved and such plans shall be submitted to the Board of Public Roads, Classifications and Standards no later than March 1, 2014.

Section 2. That this Resolution shall be submitted with said One and Six Year Plans to the Board of Public Roads, Classifications and Standards.

Moved by Niemeyer, seconded by Krings that Resolution No. 2014-7 be passed and approved.

The City Engineer gave a presentation on the City's One and Six Year Plan (Presentation attached to and made a part of these minutes).

The Mayor stated we really need to concentrate on the one year plan from here on out because the way same of these requirements have gone the last few years, you might as well just plan on one year because with a six year plan you are basically throwing darts at a map.

The Mayor stated Kully Iron & Metal moved a beam last week and the State kind of threw some red flags about going down Burlington Avenue and the City Engineer and the Police Chief got together and found a route down Lincoln Avenue. They allocated an hour and one-half and it only took 30 minutes to move the beam. B & R Market is appreciative of the City's efforts to get this beam moved, as is the Kully family.

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

ORDINANCE NO. 4391

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 8-107 OF THE OFFICIAL CITY CODE TO ADD AN ADDITIONAL LOCATION WHERE ALCOHOLIC LIQUOR MAY BE SERVED ON PROPERTY OWNED BY THE STATE OF CERTAIN GOVERNMENTAL SUBDIVISIONS THEREOF; 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 Goebel moved for passage of the ordinance on 1st reading only, which motion was seconded by Councilman Hoops.

Amy Hafer, Director of the Hastings Public Library, stated the Library would like to be considered a place for special events and fund raisers; we would like to be able to apply for special alcohol permits in order to do so. We don't anticipate it being a monthly event, but possibly once or twice a year.

The Mayor questioned if these special events and fund raisers will be in the conference room.

Mrs. Hafter stated probably in our large meeting room on the second floor.

Councilman Niemeyer questioned if the Library would be open to the public during these events.

Mrs. Hafer stated that is something the Library Board will need to discuss, we haven't discussed yet on how to handle that.

The Mayor then stated the question was "Shall Ordinance No. 4391 be passed and approved on 1st reading only. Upon roll call vote the following Councilmen voted YEA: Niemeyer, Krings, Hoops, Skutnik, Goebel. NAY: None. ABSENT: Harrington, Peterson, Odom. Ordinance No. 4391 passed on 1st reading only.

The Mayor stated sometimes people make mistakes in their lives and it takes them a long time to figure out they made a mistake and to go back and correct it. The Legislature has figured out they made a pretty bad mistake closing the Hastings Regional Center and other ones. They are coming back now and believes we are going to get a partial Regional Center back open. Senator Ashford's bill will relieve some prison crowding of mental health patients and Senator Seiler has prioritized this bill. It is going through the Legislature at a pretty good clip and getting a lot of support. Councilman Goebel suggested that we put this on the agenda tonight for discussion for its support. Several Senators thought it would be a good idea if we sent a letter, as well as Mary Lanning Memorial Hospital, to state our position on what we want to do.

Councilman Goebel stated he was at a coffee Saturday morning with Senator Seiler and something that he mentioned at that time was that the type of person that would be in this facility would be one that maybe, without the facility, would go into the prison system, spend their time there, be on proper medication during that time, but receive no rehab nor living skills that would help them when they get out of prison; they would probably be in worse shape than when they went in. Record has shown that that type of individual would go out the front door one day and two or three months later be coming back through the back door of the same prison. Councilman Goebel stated this would not only assist Hastings, but it would really help the prison system, would help rehabilitate some people that in no other way have a chance. Councilman Goebel stated this is a good situation and is a good fit for Hastings. The Regional Center, as he understands it, started in 1887 with citizens of Hastings buying 160 acres of land west of town and the State putting up the first building out there. It is something that has been in Hastings a long time and it has been handled well while it was here.

The Mayor reminded everyone that we don't have this yet, but they are working on it and we are going to present letters of support for their project and give them some ideas. They are talking anywhere from 50 patients on up, and he is pushing 500 to 600 over the course of time. The Mayor stated we had money allocated for the tear down of a campus out there and he pledged to them that we would turn that demolition money over to rehab money if they did wind up doing this project and believes they are thinking that that might be a way to help fund this thing. It

certainly would be a lot cheaper than them building a new prison to handle more people and putting them away.

RESOLUTION NO. 2014-8

WHEREAS, Legislative Bill 999 (LB999) has been introduced in the current session with the purpose of building upon the history of the Community Corrections Act of 2003, with the goal of increasing public safety by reducing the threat of harm by released offenders and increasing offender success by fostering effective risk management accountability for both offenders and system officials and community and victim participation; and

WHEREAS, LB999 changes the approach to Nebraska's criminal justice system from a focus on incapacitation to a focus on offender transition and reentry with the overarching goal of reentry to enhance public safety by supporting successful offender transition to the community; and

WHEREAS, the Nebraska Legislature is proposing to appropriate fifteen million dollars to the Reentry Programming Board Cash Fund. Five million dollars would be allocated for violence reduction and anger management programming, five million dollars would be allocated for job training, and five million dollars would be allocated for housing. Fifty percent of the appropriated funds would be expended for programming under the Nebraska Department of Correctional Services; and

WHEREAS, the City of Hastings would possibly benefit from the Nebraska Legislature's enactment of LB999 by the renovation of Building 7 at the Hastings Regional Center in order to provide mental health services, housing for offenders and programming by the Nebraska Department of Correctional Services;

NOW, THEREFORE, IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA, that the City of Hastings, Nebraska hereby goes on record as supporting the enactment of LB999 by the Nebraska Legislature, including the Criminal Justice Reentry and Data Act, and that a copy of this Resolution be forwarded to the Nebraska Legislature.

Moved by Niemeyer, seconded by Krings that Resolution No. 2014-8 be passed and approved. Roll Call: Ayes: Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: Harrington, Peterson, Odom. The motion carried.

Moved by Hoops, seconded by Goebel there being no further business to come before the Council, the meeting adjourn at 7:40 P.M. Roll Call: Ayes: Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: Harrington, Peterson, Odom. The motion carried.

2-25-2014

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)