

COUNCIL CHAMBERS, MONDAY, MARCH 24, 2014 AT 7:00 P.M.

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

Moved by Harrington, seconded by Skutnik 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 March 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: Harrington, Peterson, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: Odom, Niemeyer. The motion carried.

CITIZEN COMMUNICATIONS: None.

REPORTS OF LIAISONS: Councilman Goebel reported on the March 13th Board of Public Works Meeting. The Board did elect to do a rebuild on Fisher Fountain which will put that Hastings landmark back in really good shape. The Board discussed the comparability study that will be done this year, the study is done every three years by the Board of Public Works. This year the array for that comparability study will include only in state utilities as per a decision by the Nebraska Commission of Industrial Relations. The next meeting is April 3rd at 9: A.M. at the Hastings Utilities Board Room and one item that will be discussed is their digital agenda. For the last few meetings they have been experimenting with sending out the agenda digitally so that we can get it by either e-mail or download it from the Hastings Utilities website.

MAYOR'S COMMUNICATIONS: The Mayor read a proclamation proclaiming April 6th to April 13th as National Volunteer Week. Lynn Zeleski, Hastings Museum Education Assistant-Programming/Volunteers, accepted the proclamation. The Mayor presented awards to the following people for their time volunteering at the Hastings Museum:

Emma Arthur - Presidential Volunteer Service Gold Award, 104 hours
Michael Hock - Presidential Volunteer Service Silver Award, 188 hours
Liz Hartman - Presidential Volunteer Service, Bronze Award, 140 hours
Gaynor Watson - Presidential Volunteer Service, Bronze Award, 40 hours

The Mayor thanked everyone for their time in volunteering and stated that with his job at the YMCA, one of their main areas of focus is with volunteerism. The community of Hastings is a special place because of all the time and effort that our community gives back and we see it every weekend. This past weekend, if you were around town, you saw one of the largest events this community has every year and that is the Whoopers and Hoopers Tournament. The Mayor stated it takes an entire town to pull something like that off. There are a lot of organizations, i.e.,

Hastings Museum, Public Library, YMCA, etc. where we couldn't do what we do without the volunteers coming in and giving of their time so selfishly. The Mayor thanked everyone at the meeting tonight and thanked everyone who might be watching this meeting from home for their many hours of volunteering.

The Mayor read a proclamation proclaiming April 1st as National Service Recognition Day. Those at the meeting and being recognized are:

Carissa Uhrmacher - Serve Nebraska and the Power For Employment Program.
Martha DeWitt - Coordinator of the Foster Grandparent Program
Senior Action - RSVP Foster Grandparents volunteering in the Day Care, Head Start and YWCA After School Program.

Moved by Goebel, seconded by Hoops that the following items on the Consent Agenda be approved:

- 1(a) Minutes of the Council Meeting of March 10, 2014.
- 2(a) Application of Midtowne Mart LLC for a Special Designated License at the Adams County Fairgrounds on May 3, 2014.
- 2(b) Application of the Disabled American Veterans for a Special Designated License at the Colonial Garden Event Center on May 10, 2014.
- 4(a) Payroll for the period ending March 29, 2014, paid April 4, 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: Harrington, Peterson, Krings, Hoops, Skutnik, Goebel. Nays: None.
Absent: Odom, Niemeyer. The motion carried.

Moved by Harrington, seconded by Peterson that the public hearing and action on the request of B & R Stores, Inc., dba Russ's Market for a Conditional Use Permit to allow a parking lot at 1018 West 6th Street be brought from the table. Roll Call: Ayes: Harrington, Peterson, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: Odom, Niemeyer. The motion carried.

Moved by Skutnik, seconded by Peterson that the public hearing and action on the request of B & R Stores, Inc., dba Russ's Market for a Conditional Use Permit to allow a parking lot at 1018 West 6th Street be postponed indefinitely. Roll Call: Ayes: Harrington, Peterson, Krings,

Hoops, Skutnik, Goebel. Nays: None. Absent: Odom, Niemeyer. The motion carried.

Moved by Goebel, seconded by Skutnik that the Council approve the Workers' Compensation Settlement Agreement with Ricky Schmidt as filed in the Nebraska Workers's Compensation Court on February 11, 2014. Roll Call: Ayes: Harrington, Peterson, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: Odom, Niemeyer. The motion carried.

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 THERETO (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 Harrington moved for passage of the ordinance on third and final reading, which motion was seconded by Councilmember Hoops.

The Mayor then stated the question was "Shall Ordinance No. 4385 be passed and adopted on third and final reading?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Krings, Hoops, Skutnik, Goebel. NAY: None. ABSENT: Odom, Niemeyer. 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 April 9, 2014.

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 SERVICE BENEFITS THERETO (Annexing the 3rd 20% of Centennial Plastics-HEDC into the limits of the City of Hastings)

Said Ordinance was read by title and thereafter Councilmember Skutnik moved for passage of the ordinance on third and final reading, which motion was seconded by Councilmember Peterson.

The Mayor then stated the question was “Shall Ordinance No. 4386 be passed and adopted on third and final reading?” Upon roll call vote the following Councilmen voted YEA:

Harrington,

Peterson, Krings, Hoops, Skutnik, Goebel. NAY: None. ABSENT: Odom, Niemeyer. 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 April 9, 2014.

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 SERVICE BENEFITS THERETO (Annexing the 2nd 20% of PMP, LLC 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 third and final reading, which motion was seconded by Councilmember Hoops.

The Mayor then stated the question was “Shall Ordinance No. 4387 be passed and adopted on third and final reading”? Upon roll call vote the following Councilmen voted YEA:

Harrington, Peterson, Krings, Hoops, Skutnik, Goebel. NAY: None. ABSENT: Odom, Niemeyer. 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 April 9, 2014.

RESOLUTION NO. 2014-9

**PRELIMINARY ENGINEERING SERVICE AGREEMENT
SUPPLEMENTAL AGREEMENT NO. 1 - BK1183**

WHEREAS: City of Hastings and Olsson Associates, Inc. have previously executed a Preliminary Engineering Services Agreement (BK1183) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

WHEREAS: City of Hastings understands that it must continue to strictly follow all

Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

WHEREAS: City of Hastings and Olsson Associates, Inc. wish to enter into a preliminary engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities 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, Nebraska is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 1 between the City of Hastings and Olsson Associates, Inc.

City of Hastings is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Agreements.

NDOR Project Number: URB-5505(4)
NDOR Control Number: 42704
NDOR Project Description: Baltimore Avenue, 12th - 14th Street, Hastings

Moved by Harrington, seconded by Peterson that Resolution No. 2014-9 be passed and approved.

Dave Wacker, City Engineer, stated this is the last Federal-aid project that we have programmed to receive Federal funds using Surface Transportation Funds. A couple of meetings ago the Council approved the Utility Agreement for relocation of a power line on the east side of the road and that is currently underway. About a month ago we sent out letters requesting Intents of Donation for Right-Of-Way along the project. A majority of the people have indicated they will donate the temporary easements that are necessary for the project. There are a few landowners that have requested an appraisal and through the process and Federal regulations, we have to provide them with appraisals. This is a fairly lengthy contract which basically outlines for appraisal services a report and negotiations with property owners and then to prepare a report for Right-Of-Way acquisition for the project.

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

Moved by Skutnik, seconded by Peterson there being no other business to come before the Council, the meeting adjourn at 7:21 P.M. Roll Call: Ayes: Harrington, Peterson, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: Odom, Niemeyer. The motion carried.

3-24-2014

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)