

COUNCIL CHAMBERS, MONDAY, AUGUST 11, 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 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 August 8, 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. Absent: None. The motion carried.

REPORTS OF LIAISONS: Councilman Goebel reported on the July 31, 2014 Board of Public Works Meeting. Hastings Utilities is working with Central Community College on a Wind Energy Study, Central Community College is looking at the possibility of a larger wind power generator. They do have a small one that they have had for a few years, but they are looking at the feasibility of a much larger unit. There was an update from the Chamber of Commerce Retail Committee (Tom Hastings, Corey Stutte and Linsey Martin), they reported on what they have done this year. They did a Market Area and Retail Potential Study and the data results for that are on line. They also did quite a bit of work with the website “theHword.com”. That is an interesting website with local information and if you haven’t checked that out you need to, you can find it on the Chamber of Commerce website or the address itself is “theHword.com”. Some of the things the Chamber of Commerce Retail Committee is looking at for next year is the possibility of a Retail Trade Show, doing a Marketing Audit and Updating Current Marketing Data. They did make a request to the Board of Public Works for 2015 for the Chamber of Commerce Retail Committee. There was an update on the ASR Water Project by Marty Stange. The next meeting is August 14th at 9:00 A.M. at the Hastings Utilities Board Room.

Councilmember Hoops stated the Hastings Library Foundation has met twice to discuss the future of the Friends Volunteers. The Foundation is working with the Library Director to recruit new leaders for the Friends and to plan the future of the organization.

CITIZEN COMMUNICATIONS: None.

MAYOR’S COMMUNICATIONS: None.

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

- 1(a) Minutes of the Council Meeting of July 28, 2014.
- 1(b) Minutes of the Worksession of July 22, 2014.
- 2(a) Application of Midtowne Mart LLC for a Special Designated License at the City Auditorium on November 8, 2014.
- 2(b) Application of Midtowne Mart LLC for a Special Designated License at the City Auditorium on September 13, 2014.
- 2(c) Application of Richard Kohmetscher for a Special Designated License at the Adams County Fairgrounds on September 13, 2014.
- 2(d) Request of the Spouse Abuse Sexual Assault (SASA) Crisis Center, Inc. to utilize City streets for their 5th Annual 5K run/1 mile walk on September 6, 2014 (September 7, 2014 rain date).
- 2(e) Invoice No. 418 dated July 22, 2014 from the South Central Economic Development District in the amount of \$5,000.00 for Project No. 12-DRT-107, Hastings Downtown Revitalization Phase II.
- 2(f) Application of Murphy's Wagon Wheel, Inc. for a Special Designated License at the Adams County Fairgrounds on October 18, 2014.
- 2(g) Request of Oregon Trail Rodeo Committee to utilize City streets for a 5K/10K walk/run on August 23, 2014.
- 4(a) Payroll for the period ending August 16, 2014, paid August 22, 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).
- 6(a) Approval of the renewal of Liquor License Applications for the following Class "C" Liquor Licenses for the period of November 1, 2014 through October 31, 2015: 201 N. Lincoln Enterprises LLC, 2nd Street Slammer Inc., Adams County Ag. Society, B & R Stores Inc., Barrel Bar Inc., Bernardo Inc., Budson Inc., Bullseye's Inc., Caribbean Bar & Grill LLC, Disabled American Veterans, Eagles FO Hastings Aerie 592, Fucor Inc., Gabriel Sanchez (2), George J. Beckby, Halftime Lounge LLC, Hallett Inc., Hamur LLC, Highland Operating Company, Hilburn Enterprises Inc., Kitty's Roadhouse LLC, Midtowne Mart LLC, Miscues LLC, Murphy's Wagon Wheel Inc. (2), Raenae Rollins, Restaurant Management Service LLC, Rivals Bar & Grill LLC, T Post Holdings LLC, Veterans of Foreign Wars Post 1346, Virginia Wolz, Wanda's

LLC, William D. Swenson. Catering Licenses for the period of November 1, 2014 through October 31, 2015: 2nd Street Slammer Inc., Adams County Ag Society, Bullseye's Inc., Eagles FO Hastings Aerie 592, Kitty's Roadhouse LLC, Midtowne Mart LLC, Miscues LLC, Murphy's Wagon Wheel Inc., Raenae Rollins.

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 Gospel Community Church for a Conditional Use Permit to allow Church services at 235 South Burlington Avenue, Suite D.

Ryan Booth of 623 North 4th Avenue and Pastor of Gospel Community Church appeared to speak in favor of the application for the Conditional Use Permit. Pastor Booth stated he and his wife have planted several Churches now, the last one was in Utah. Last summer, although we are not from Hastings, we drove through and God placed it on our hearts to come out here. As we went back to that Church in Utah, we saw all of the amazing things that were happening, the growth that was taking place and the lives that were being changed by the Gospel. We had several people say we will move out there with you; just a few months ago, we had people from across the country say "we believe in Hastings and we believe that God is doing something special". They moved out here with us, they are all working jobs and living in their own apartments. We are a small but mighty Church, and we have been meeting in homes for the last couple of months. We came out with the understanding that we believe the message that Jesus can give us new life, we will change lives and we thank God for the Churches that are already here that have paved the way for us and we are so thankful for that, but we thought that even if there is just a few of us let's impact this City, let's do something positive, let's make Hastings a better place. We have done that, he believes, in just the few first months we have been here. For instance, over Memorial Day Weekend, we had a barbeque for veterans, a few weeks ago we had a family fun night in Chautauqua Pavilion and just this past weekend, we brought seven people from Utah who said we are going to take our yearly vacation to come to Hastings, Nebraska and just serve all week long at Kool-Aid Days. Friday night we all served, Saturday morning we served, Saturday afternoon we served and Saturday night we came back and served. We feel like we are a blessing to the community. Pastor Booth stated we don't have a lot of resources, but if we could just meet publicly, it is hard when you are looking for commercial property for a little Church to be able to afford it and to be approved for it with different zoning issues. We found a place in downtown Hastings a couple of months ago, however, we were denied by the Planning Commission. Pastor Booth stated we completely understood and backed away from that and decided to find a more suitable place. We believe we have found a more suitable place even though it is not super normal for a Church to be meeting in the old Verizon Wireless building on South Burlington, but the gentlemen who owns that property is a wonderful man and who Pastor Booth believes has also benefitted this City in many ways and he said that, after reading in the paper, he believes that what we are doing will benefit this City and he would give us a shot. Pastor Booth stated he can't say that we will be there forever, but if we are approved tonight we

will be signing a one year lease and we could be there for a year or two and then be back in front of the Council for a new place. We don't have plans to meet there during the week, we meet in homes and minister to people through our work and through just everyday living here. There won't be a lot of activities at the building during the week, therefore, Monday through Friday you won't see a ton of us at that building, but we would be there for two hours on Sundays. Noise shouldn't be an issue because on Sundays the businesses that are in that plaza are closed as is the Chamber of Commerce which is located across the street.

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.

Moved by Odom, seconded by Niemeyer that the Mayor and Council approve the request of Gospel Community Church for a Conditional Use Permit to allow Church services at 235 South Burlington Avenue, Suite D, 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. Church occupancy shall be kept to a maximum of 49 people at any given time.
3. Church activities shall be limited to Sundays (all day) and Weekdays between the hours of 5:00 P.M. and 12:00 A.M.
4. The outside of the property shall be kept 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 allowed during Church related functions.
7. Noise shall be kept to a level so as not to create a nuisance to the adjacent neighborhood, i.e., loud music, etc.

Councilman Krings stated we made the news the last time with the denial of the Conditional Use Permit by the Planning Commission. Councilman Krings stated he likes the concept of the small

Church and the fact that you don't need block by block buildings to do what you need to do. What is important for the community to understand is the impact of zoning, and why we make the decisions we make and having Churches all over our community in different places has an impact in the development around that. We have to really pay attention to surrounding use of Churches, probably more so than a lot of businesses, the impact they have can really affect what type of businesses can go in at certain locations, the type of traffic flow patterns and the type of business they do; it is important that we pay attention to that. Councilman Krings asked if a Conditional Use Permit like this is permanent; what he is asking is that they are signing a one year lease and would it be possible for the Council to look at this again in one year and determine if we want to continue with this Conditional Use Permit at that time or if we approve it tonight, will it be good until we decide to take it off the books.

David Ptak, City Attorney, stated a Conditional Use is not permanent in any sense of the word. Obviously it affects a particular piece of property for a particular use. As long as that use would remain the same, that Conditional Use can go on as long as the use remains there. Normally, there are not look in periods or time associated with that, but if that was part of the request or if the Council wanted to amend the request, they could certainly do so and have a look in period although that wasn't mentioned at the Planning Commission nor was that part of the Planning Commission's recommendation.

Councilman Krings questioned if in a year or six months into this we recognize that there is potential fallout for this placement, could we as a Council remove the Conditional Use Permit at that time.

The City Attorney stated yes you could, but it would require a public hearing much like what went on for the recommendation here tonight.

Councilman Krings stated he believes that is good enough for him, he is just concerned that anytime we have a commercial space like this the effect that putting a Church in there could have on it. Councilman Krings stated he doesn't really anticipate that with this, he is going to lean on the staff and the Planning Commission's recommendation for approval here and vote for this, but we don't know what is going to happen in the development of these commercial properties and we don't know the effect it is going to have. As long as we have the option at some point, six months or a year down the road, if something comes to our attention that needs us to look at this Conditional Use Permit, that we need to be able to come back to it. Once again, he loves the concept of what the Gospel Community Church is doing and best of luck to that Church.

Councilman Odom stated a lot of this depends on whether the Church survives and moves forward. He certainly doesn't have an objection of putting on a year review on this motion.

Councilman Krings stated he doesn't have a problem as it is now after hearing what staff says in that if we have a fallout from the business community or potential developer in the area that

wants to start a business, we can bring this back to the Council, have another public hearing and listen to people on both sides which to him is extremely appropriate action if we go down that road. If it continues on the way we all hope, and he thinks it will, then believes we will be just fine.

Vote on the motion. 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 Revive, Inc., Unity Houses, for a Conditional Use Permit to allow for housing for recovering adults in a group home setting at 210 West "D" Street.

Dan Rutt of 415 Saunders and Director of Revive, Inc., Unity Houses, appeared to speak in favor of the Conditional Use Permit. Mr. Rutt stated we have a housing program for men and women and we have a treatment facility. We had a young lady check into our housing and they were following Mr. Rutt to their house at 706 East 7th Street. This young lady was to be back at the treatment center that evening at 6:30 P.M. for a counseling session and the distance was 28 blocks. We pursued Hastings College and negotiated a price for them to purchase the house on East 7th Street. We found a house on "D" Street that will work wonderfully well because we just want to better serve our clients. Mr. Rutt passed around letters of recommendation from Hastings College, Michael Shada and Lonnie and Diane Lipsack (letters attached to and made a part of these minutes).

Mary Romack of 739 North Lincoln appeared to speak in favor of the Conditional Use Permit to allow housing for recovering adults. Ms. Romack stated she came to Hastings four years ago as a half-way house resident of Bristol Station and did her aftercare through Horizon Recovery. When she got done with the half-way house, she chose to stay in Hastings and continued to associate with Horizon Recovery and eventually became the house manager. Ms. Romack stated she has been a house mentor in trying to help the girls where she can.

Shelly Carpenter of 502 South Denver appeared to speak in favor of the Conditional Use Permit to allow housing for recovering adults. Ms. Carpenter stated she went through the program almost two years ago. Ms. Carpenter stated one of the requirements of staying at the house is that you must have a job; there is also the responsibilities of the upkeep of the house and outside the house.

Troy Hoffmeister of 818 North Hastings appeared to speak in favor of the Conditional Use Permit to allow housing for recovering adults. Mr. Hoffmeister stated he has been a resident of Hastings for nine years which is the same number of years he has been in the recovery program. Mr. Hoffmeister stated his hope is that recovery people are helping out in the community and his hope is that we can continue that.

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.

Moved by Harrington, seconded by Niemeyer that the request of Revive, Inc., Unity Houses, for a Conditional Use Permit to allow for housing for recovering adults in a group home setting at 210 West “D” Street be approved, subject to the following conditions:

1. Prior to occupancy, the house shall be inspected by Development Services for compliance with City Codes and a Building Permit applied for for any alterations to the site.
2. The property shall remain in compliance with City Code requirements for parking in the R-2, Two Family Residential District, as well as Chapter 40 for Off-Street Parking. The site shall have a maximum of four (4) parking spaces off-street and two (2) along the curb, street side. Additional tenants beyond six (6) shall not be allowed to house vehicles onsite which shall be stated in their contract (lease).
3. The premises shall be kept in compliance with Chapter 18 and 40, Nuisances/Property Maintenance, at all times.
4. The property shall be subject to review and revocation by the City Council if it becomes non-compliant with the terms of the Conditional Use Permit and applicable Hastings City Codes.

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 Greg Sinner, Sinner Rentals & Storage, for an amendment to a Conditional Use Permit to allow an expansion of the existing self-storage unit complex at 218 North Bellevue Avenue.

Greg Sinner of Doniphan, Nebraska and owner/operator of Sinner Rentals & Storage, appeared to speak in favor of the amendment to a Conditional Use Permit to allow expansion of the existing self-storage unit complex. Mr. Sinner stated this is an amendment to an already existing Conditional Use Permit and when we first started this project years ago, the first building came in as an outright use and then the zoning regulations changed and then the other ones came in under conditional use. We have tried to be in compliance with and believes we have been, we have tried to beautify the area and make it more transitional into the R-3. This project came

about because Mr. Chris Shade decided to relocate on South Burlington, he had leased the lot, but Mr. Sinner will be building a larger building. It left a hole in between the buildings that he thought was rather unsightly. Mr. Sinner stated as with all his projects we have involved Mr. Rich Cartier and Mr. Mark Evans of the City Development Services and tried to cover all our bases. Mr. Sinner stated he is working with a local contractor, but he has held off doing anything until the amendment is approved.

Doug Snow of 2640 South Ridge Road appeared to speak in opposition to the Conditional Use Permit to allow expansion of the existing self-storage unit complex at 218 North Bellevue Avenue. Mr. Snow stated he did call Mr. Cartier today and he guesses they forgot about him because he has 40 feet on the north side. Mr. Snow stated he owns 1028 West 2nd Street, Willy's Wheel Alignment. Evidently Mr. Sinner wants to put the building right beside his and Chris Shade's. Evidently Mr. Shade has signed off on this, but he hasn't had the opportunity to sign off on this. Mr. Snow stated there are some utilities and phone lines back there and was curious to know if the City wasn't doing their homework. Mr. Snow asked the Council to postpone for 30 days just to make sure that everyone knows what is going on here.

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.

Moved by Odom, seconded by Krings that the Mayor and Council approve the request of Greg Sinner, Sinner Rentals & Storage, for an amendment to a Conditional Use Permit to allow an expansion of the existing self-storage unit complex at 218 North Bellevue Avenue, subject to the following conditions:

1. All exterior lighting shall be of cut-off type to prevent off-site glare.
2. All lighting shall meet the requirements of Tables 305-10 and 305-11 of Section 34-305.5 for heights and shielding, and from 34-305.5.c regarding general standards for exterior lighting.
3. All storage shall be kept within an enclosed building.
4. No long term parking outside including but not limited to RV's, vehicles, trailers, campers, boats or watercraft.
5. Building setback shall be the same as in the C-3 District.
6. Two parking spaces shall be provided, plus one additional space for each employee. Internal drives and parking shall comply with Section 34-308 of this Chapter for paving requirements (this standard exists currently).

7. Building heights shall be limited to one story which does not exceed fourteen (14) feet at the eaves.
8. Storage Buildings shall be separated a minimum of thirty (30) feet from one another within self service storage facilities. Storage bays within a single building shall not be interconnected by interior doors or other interior means providing access from one storage bay to another. The dimensions of any storage bay shall not exceed twenty-two (22) feet in the narrowest dimension or thirty-six (36) feet in the widest dimension. The applicant will work with the City Building Inspector to meet requirements for firewall separation on both new buildings being constructed.
9. A 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 or in exchanges, existing wall signage can remain as is.
10. Commercial Activity: It shall be unlawful for any owners, operator or lessee of any self service storage facility or 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. Repair, reconditioning and fabrication are prohibited on site. This provision shall be posted and be included in the tenant lease agreement.
12. An approved plan shall be valid for a period of twenty-four (24) months following the date of approval by the City 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 City Council.
13. Landscaping, consisting of one tree minimum and sod/grass shall be provided along the western side of the Storage Facility Buildings excepting a concrete driveway access off of Bellevue Avenue.

Councilman Odom stated Mr. Snow brings up something we need to ask staff about, could someone answer what we have here.

Rich Cartier, Planning Director, stated it is more or less an issue between Mr. Sinner and Mr. Snow because in the I-1 District there is a zero lot line requirement; Mr. Sinner can build a building up to the property line. Mr. Sinner has talked with the Building Inspector, Mark Evans about this and discussed the firewall requirements. Mr. Cartier stated from a zoning perspective, he is within his rights to build a building right up to the property line. Mr. Cartier stated dealing with his neighbor about closing off the windows is between the two property owners and not necessarily part of the Conditional Use Permit process.

Councilman Skutnik stated she is having difficulty with the aerial map, which area are we talking about.

Mr. Cartier stated if you know where Chris Shade's old car dealership is, this would abut his and Mr. Snow's building; the south wall of that building is also the north property of Mr. Sinner's property.

Councilman Odom stated from the drawing that we have, he did make the assumption that Mr. Sinner owned the entire lot, but apparently there is 40 feet that belongs to Mr. Snow. If that is true, then we need some clarification because in his opinion this should be postponed if we are having any discussion like this at all.

Councilman Krings stated we have a lot of buildings in this town that have shared walls that abut each other. If you look at the property and those three buildings that are on 2nd Street, including the Shade car place, they all share walls or they are right next to each other. Councilman Krings stated it seems to him, as Mr. Cartier has said, that it fits rights along with this type of zone that we have, it can go right up to the property line.

Councilman Niemeyer stated Mr. Sinner owns the property and all these properties are zoned industrial so they all build right up to the property line, but what Doug Snow is talking about is that he has a utility service on the back side of that building and phone line. Councilman Niemeyer questioned if it is his responsibility then to relocate those things if you are going to have the walls right together there.

Mr. Sinner stated his agreement with Chris Shade is that he will take care of getting that moved. Mr. Sinner stated his wall is only going up ten foot, it will not go up all the way to what the existing wall is. The only thing it affects is Chris's existing electrical service that shows on the picture and that will have to be moved and that will be at Mr. Sinner's expense.

Councilman Niemeyer stated Mr. Snow's issue is that he has three windows on the back of his building that are going to be closed off now, which is kind of the way things happen when you have commercial buildings.

Mr. Sinner stated he has offered Mr. Snow, as he has offered Mr. Shade, at his expense he would

be blocking off those openings to meet the Building Code.

Councilman Niemeyer stated that type of information is not in our packet as far as what type of negotiations or allowances were given with the neighbors.

Councilman Goebel stated he was concerned if there are utility connections on the back side of that building or if there is anything underground.

Mr. Sinner stated existing records do not show anything on that lot.

Councilman Goebel stated his concern was if there was anything underground, has that been checked.

Mr. Cartier stated he believes Mr. Evans checked that and it wasn't an issue because it would go where the existing building is also.

Councilman Harrington stated there seems to be enough uncertainty that maybe we should postpone it for 30 days and then bring it back.

Moved by Harrington, seconded Peterson that the request of Greg Sinner, Sinner Rentals & Storage, for an amendment to a Conditional Use Permit to allow an expansion of the existing self-storage unit complex at 218 North Bellevue Avenue be postponed to the first meeting in September (September 8, 2014).

Councilmember Peterson withdrew her second, Councilman Harrington withdrew his motion.

Moved by Harrington, seconded by Peterson that the request of Greg Sinner, Sinner Rentals & Storage, for an amendment to a Conditional Use Permit to allow an expansion of the existing self-storage unit complex at 218 North Bellevue Avenue be tabled. Roll Call: Ayes: Harrington, Peterson, Odom, Hoops, Skutnik, Goebel. Nays: Niemeyer, Krings. The motion carried.

At this time a public hearing was held on the review of proposed Plan Modification No. 7.15.14 to Redevelopment Area No. I at 801-809 West 2nd 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. 2014-25

WHEREAS, the Community Redevelopment Authority of the City of Hastings, Nebraska's plan for Redevelopment Area No. I has previously been approved by the Mayor and City Council of the City of Hastings; and

WHEREAS, the Community Redevelopment Authority of the City of Hastings, Nebraska has prepared the 7.15.14 Redevelopment Project Plan Modification to said plan for Redevelopment Area No. I; and

WHEREAS, the Community Redevelopment Authority has forwarded said Plan Modification to the Hastings Planning Commission for its review and recommendations as to the consistency with the plan for Redevelopment Area No. I and conformity with the general plan for the development of the City of Hastings; and

WHEREAS, the Planning Commission conducted a review of the Plan Modification to the plan for Redevelopment Area No. I, and the general plan for the development of the City of Hastings; and

WHEREAS, the Planning Commission finds that the 7.15.14 Redevelopment Project Plan Modification is consistent with the plan for Redevelopment Area No. I, and conforms with the general plan for the development of the City of Hastings;

NOW THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, hereby adopts the following resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, does hereby recommend approval of the 7.15.14 Redevelopment Project Plan Modification to the plan for Redevelopment Area No. 1, a copy of which is attached hereto marked Exhibit "A" and incorporated herein by this reference.

Moved by Niemeyer, seconded by Skutnik that Resolution No. 2014-25 be passed and approved.
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 Development Services Department to amend the Comprehensive Land Use Plan to incorporate an Energy Element as mandated by the State of Nebraska.

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. 4400

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA AMENDING THE COMPREHENSIVE LAND USE PLAN FOR THE CITY; TO ADOPT AND INCORPORATE AN ENERGY ELEMENT INTO AND AS PART OF THE COMPREHENSIVE PLAN AS REQUIRED BY NEBRASKA LAW; TO REPEAL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT

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

Councilman Krings moved that the statutory rule requiring reading on three different days be suspended; Councilman Niemeyer seconded the motion to suspend the rules and upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Niemeyer, Krings, 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. 4400 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 August 27, 2014.

At this time Joe Patterson, City Administrator, presented the 2014-2015 Annual City Budget. (Presentation attached to and made a part of these minutes).

Moved by Harrington, seconded by Niemeyer that the Mayor be authorized to execute agreement between the City of Hastings, Hastings Utilities and Wendell E. Starr Trustees to connect a tract of land located along Marian Road owned by the Trust to the City's Municipal Water System.

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

ORDINANCE NO. 4401

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 26-103 OF THE OFFICIAL CITY CODE REGARDING THE MEMBERSHIP AND QUALIFICATIONS OF THE LIBRARY BOARD; TO AMEND SECTION 26-106 OF THE OFFICIAL CITY CODE TO PROVIDE FOR A QUORUM OF THE LIBRARY BOARD OF FOUR MEMBERS; TO REPEAL ANY ORDINANCES OR SECTIONS OF CITY CODE IN CONFLICT WITH THIS ORDINANCE; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM

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

The Mayor stated we have people out in the County that are talented and it would be nice to tap into some of that pool and since the County adds money for the Library we should have a member from the County on the Library Board.

Councilman Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilman Krings 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. 4401 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 August 27, 2014.

Moved by Niemeyer, seconded by Krings that the Mayor and Council go into Executive Session to discuss litigation and real estate negotiations at 8:00 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Odom, seconded by Peterson that the Mayor and Council go out of Executive Session

8-11-2014

into Regular Session at 9:23 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Krings, seconded by Niemeyer there being no further business to come before the Council, the meeting adjourn at 9:23 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)