

COUNCIL CHAMBERS, MONDAY, DECEMBER 8, 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 December 5, 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 stated there has been no Board of Public Works Meeting since the last Council Meeting, but the next meeting is December 11, 2014.

CITIZEN COMMUNICATIONS: None.

MAYOR'S COMMUNICATIONS: The Mayor stated this would be City Clerk Connie Hartman's last Council Meeting as she is retiring in January.

The Mayor asked if there was anything to be removed from the Consent Agenda.

Councilman Goebel stated he didn't need anything removed, but he did notice in the Parks & Recreation Department Report that the Nebraska School Activities' Association extended the contract for the State Softball Tournament for another five years. Councilman Goebel stated that is a real compliment to the City of Hastings and the Parks & Recreation Department.

Jeff Hassenstab, Director of Parks & Recreation, stated a lot of people get involved in this, i.e., the Adams County Convention & Visitor's Bureau, Hastings High School, Hastings College, etc. and we are very glad to have the tournament another five years.

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

- 1(a) Payroll for the period ending December 6, 2014, paid December 12, 2014.
- 1(b) Minutes of the Council Worksession of November 18, 2014.
- 2(a) Manager Application of German D. Montizanti in connection with the Class "C" Liquor License of the Caribbean Bar & Grill located at 1426 West 2nd Street.
- 4(a) Payroll for the period ending December 6, 2014, paid December 12, 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. (Prepaid claims included in list of claims attached).

4(d) Payment to Werner Construction, Inc. for \$45,818.19 for 2013 Comprehensive Revitalization Phase I Supplemental Project (13-CR-108) and corresponding Drawdown #5.

4(e) Payment to South Central Economic Development District, Inc. for \$5,400.00 for grant administration services for 2012 Downtown Revitalization Phase II, Implementation Project (12-DTR-107) and corresponding Drawdown #10.

4(f) Payment to South Central Economic Development District, Inc. for \$9,900.00 for grant administration services for 2013 Comprehensive Revitalization Phase I Supplemental Project (13-CR-108) and corresponding Drawdown #4.

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.

Before the public hearing on rezoning proposed Well Field Fourth Addition, the Mayor asked for comments from the City Engineer.

City Engineer Dave Wacker stated it is in the best interest of the City and Hastings Utilities that this item be postponed indefinitely at this time.

The Mayor stated we have more work to do on this project and it is a big project.

Moved by Odom, seconded by Niemeyer that the public hearing on the request of Hastings Utilities to rezone proposed Well Field Fourth Addition from A Agricultural District to I-1 Light Industrial for an Irrigation/Water Storage Facility be postponed indefinitely. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Niemeyer, seconded by Odom that Ordinance No. 4412, Rezoning proposed Well Field Fourth Addition from A Agricultural District to I-1 Light Industrial be postponed indefinitely. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

At this time the Council considered Ordinance No. 4409, Amending Section 32-109 of the City Code dealing with the Board of Public Works and Employees. This ordinance was postponed

from the October 27, 2014 Council Meeting.

ORDINANCE NO. 4409

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND ARTICLE I, SECTION 32-109 OF THE OFFICIAL CITY CODE DEALING WITH THE BOARD OF PUBLIC WORKS AND EMPLOYEES, POWERS GENERALLY, AND PURCHASES; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCES OR SECTIONS OF THIS CODE THAT IS INCONSISTENT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM

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

City Attorney Dave Ptak stated this ordinance is a change to Chapter 32 with regard to which positions the Board of Public Works would be the appointing authority for and also gives them the ability to delegate that authority for the FLSA exempt positions to the Utilities Manager.

Councilman Odom 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. 4409 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 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 December 24, 2014.

At this time a public hearing was held on the request of the City of Hastings Development Services Department to amend City Code Chapters 31 and 30 to combine the provisions of the gas and plumbing chapters and to create an examining board for plumbing, gas and mechanical installers.

Steve Johnson, Plumbing/Gas Inspector for the City of Hastings, appeared to speak in favor of the request to amend Chapters 30 and 31. Mr. Johnson stated we are combining and updating some codes, believes this will make his job a lot easier.

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. 4417

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO REPEAL CHAPTER 31 OF THE OFFICIAL CITY CODE; TO AMEND CHAPTER 30 OF THE OFFICIAL CITY CODE; TO COMBINE THE PROVISIONS OF THE GAS AND PLUMBING CHAPTERS OF THE OFFICIAL CITY CODE; TO CREATE AN EXAMINING BOARD FOR PLUMBING, GAS AND MECHANICAL INSTALLERS; TO ADOPT THE 2012 INTERNATIONAL PLUMBING CODE; TO ADOPT THE 2012 NFPA 54 FUEL GAS CODE; TO ADOPT THE 2014 NFPA 58 LIQUEFIED PETROLEUM GAS CODE; TO ADOPT THE 2012 INTERNATIONAL MECHANICAL CODE; TO ESTABLISH AN EFFECTIVE DATE; AND TO REPEAL ANY ORDINANCES OR OTHER PROVISIONS IN CONFLICT HEREWITH

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; Councilman Odom 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. 4417 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 December 24, 2014.

At this time a public hearing was held on the request of the Development Services Department to amend City Code Chapter 34-311(4) allowing servants Quarters in Agricultural and Residential Districts only and an amendment to Chapter 34-103 to include a definition of Servants Quarters under zoning definitions.

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. 4418

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 34-311(4)(a) OF THE OFFICIAL CITY CODE TO CHANGE THE TERM SERVANTS QUARTERS TO CAREGIVER QUARTERS; TO ALLOW CAREGIVER QUARTERS IN ALL AGRICULTURAL AND RESIDENTIAL ZONING DISTRICTS; TO AMEND SECTION 34-103 OF THE OFFICIAL CITY CODE TO PROVIDE FOR A DEFINITION OF CAREGIVER QUARTERS; TO REPEAL ANY ORDINANCES OR OTHER PROVISIONS IN CONFLICT HEREWITH; AND TO ESTABLISH AN EFFECTIVE DATE

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

Councilman Odom 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.

The Mayor then stated the question was "Shall Ordinance No. 4418 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 December 24, 2014.

Moved by Goebel, seconded by Skutnik that the Settlement Agreement with SourceGas regarding the Central Community College natural gas transfer be approved and that the Mayor be authorized to sign said agreement.

Hastings Utilities Manager Marvin Schultes stated this just puts the whole Central Community College natural gas process to bed; they had appealed the eminent domain.

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

Moved by Peterson, seconded by Skutnik that the Mayor and Council approve the purchase and installation of new outdoor warning sirens to replace existing sirens at the corner of 5th Avenue & South Street, 10th Street & Laird Avenue and Madden Road in the Lochland Subdivision through participation in the FEMA Hazardous Grant Program in the amount of \$13,474.00, a 25% match. Roll Call: Ayes Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Skutnik, seconded by Harrington that the Mayor and Council approve a 1% salary increase for all non-utility full time City of Hastings employees.

Councilman Odom stated in the summary sheet it talks about non-utility employees, but we have two groups, Police and Fire, who work under union contracts and questioned if this included the two unions and if it does, are we going to end up having to reopen negotiations with our union employees.

City Administrator Joe Patterson stated the 1% does impact the union employees because in the contract that we just recently approved, the adjustment was based on comparability, plus whatever adjustment we make for cost of living or the balance of what the other cities in the array are doing and you don't have to open the contract back up to do that.

Councilman Odom stated in regard to frozen positions, as he has always understood comparability, once you are above the comparable of another community that you are then frozen until such time that our position would become below that and then you would get increases. Councilman Odom questioned if we are giving additional raises to frozen positions or, if he is correct in his understanding that we are we following the comparability rules and regulations.

The City Administrator stated the short answer to that is that you have already given a 1.5% increase to all positions, you adjusted all your positions based on comparability back when you approved the budget and then you added the 1.5% to all employees across the board. Employees didn't get a base salary adjustment, but they did get the COLA or a market adjustment of 1.5%. The action tonight would add the additional 1% that, in his opinion, would put you on par with what has been done at Hastings Utilities. The City Administrator stated that Hastings Utilities might do that differently which would, in his opinion, show the fact that we are not both on the same page in what we are doing and we both need to get on the same page.

The Mayor stated the Council will find at their desks, a matrix that was done this afternoon regarding some of this information.

Councilman Odom stated his reason for bringing this up is he wanted to make sure he understood what we are doing, but also he believes it is important, and you all know his feelings on comparability, that we (City and Hastings Utilities) should be doing it the same and that was the goal of what we were suppose to be doing here and doesn't believe we are. Councilman Odom stated next year, and he has expressed this before, beginning right after the first of the year, we need to put our people together. We have a full time human resources person at the City Building and we have a full time human resources person at Hastings Utilities and we have a full time City Attorney. We have the people on board now that can put this together and believes we can get to where we need to be a lot easier if we don't wait until next March when we are talking about budget, but we need to have both groups working together in January and February and let's put this together and get it where it ought to be.

The Mayor stated when we do comparability now, we are not doing one year in arrear, we caught up and we are doing current which for the history of Hastings we have probably been one year in arrear which always puts us technically out of comparability. We corrected that housekeeping a few months ago he believes and that was the start of it and this year we will have the clean up phase. As the City Administrator has said, the ultimate goal would be to get both of us on the same budget year so we are talking apples to apples and oranges to oranges. We will be working on that during the year and the RFP, which will be acted on tonight by the Council later in the meeting, might be able to tell us some things if it is approved by Council.

Councilman Goebel stated he is going to vote in favor of this because at this point in time it is the most fair and equitable thing to do. Councilman Goebel stated he just doesn't like the way it came down and we do need to get together and get on the same page. You can't send two different people or two different groups out gathering statistics from two different sources and expect them to come back with the same number. Councilman Goebel stated we do need to combine our efforts here on comparability studies and does know there are different job descriptions in the City from what there are at Hastings Utilities, but there are some positions that do correspond and the law does now allow us to use two different arrays for one group or we can put a larger array together that would cover every job for the City and Hastings Utilities and we would pull out of that array what is needed. Councilman Goebel stated if and when we decide to do a COLA or market adjustment it can be determined from that one large array. Councilman Goebel stated believes that would be doing it legally and fairly and would be equitable treatment of our employees; Hastings Utilities has been doing their study and there has been a fair amount of cost attached to it as well. As Councilman Odom has said, we have two good HR employees working, one with the City and the other with Hastings Utilities, and believes they can come up with something that can work for us.

Councilmember Peterson stated she believes the term that should be used is city employees, it gets really old to say that there are Utility employees versus City employees, we are all employees of the City. Councilmember Peterson stated she is so glad to hear that we are going to be working together as a City with all of our employees.

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

Moved by Krings, seconded by Skutnik that the Mayor and Council approve extending negotiations with WRK, LLC/Chief Industries, Inc. for proposed downtown development until June 1, 2015.

The Mayor stated we have been making good process with the project across the street and we need a little more time to work on details as well as facts and figures.

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 Niemeyer that the Mayor and Council approve the RFP (Request for Proposals) to solicit proposals for an organizational study of the City of Hastings' operations and departments.

The Mayor stated this is something that he has wanted to address since he has become Mayor. It has been talked about and the last time this was done was in the 1970's. We would like to study every process, every employee and every piece of equipment. With this study, we will be able to see if we are doing what we are suppose to do as city members and if they even suggest that we need to change our form of city government and city council, we can take it to a vote of the people. A report from the successful firm should be completed by the summer of 2015.

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

RESOLUTION NO. 2014-47

WHEREAS, there has been signed by the City of Hastings on the 27th day of July, 2010, and the State on the 30th day of July, 2010, an agreement providing for the construction of a Federal Aid Project at the following location: trail begins at 22nd Street and Osborne East (terminus of Phase IIB Pacific Railroad ROW to 42nd Street and Turner Service (Hastings Soccer fields) and then westerly along 42nd Street (Prairie Ridge Park) to 42nd Street and Osborne Drive East

WHEREAS, in the above agreement, the City has pledged sufficient funds to finance its share of the cost of the construction of this project identified as ENH-1(50), and

WHEREAS, the above mentioned agreement provided that the City would pay costs as set forth in the agreement, and

WHEREAS, the State and the City received bids for the construction of this project on

November 13, 2014, at which time 4 bids were received for the construction of the proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has/have been selected as the low bidder(s) to whom the contract(s) should be awarded:

Vontz Paving, Inc., Hastings, NE

Grading, Concrete Pavement, Culverts, General Items: \$777,362.54

NOW THEREFORE, in consideration of the above facts, the City Council of the City of Hastings, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the City hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Council hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The Council hereby authorizes the Mayor to sign the contract(s) with the above mentioned Contractor(s) for the above mentioned work on behalf of the City.

Moved by Niemeyer, seconded by Goebel that Resolution No. 2014-47 be passed and approved.
Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.
Nays: None. The motion carried.

RESOLUTION NO. 2014-48

WHEREAS, there has been signed by the City of Hastings on the 27th day of July, 2010, and the State on the 30th day of July, 2010, an agreement providing for the construction of a Federal Aid Project at the following location: trail begins at the existing Pioneer Trail Phase I at Kansas Avenue and Osborne Drive West and proceeds northerly along Osborne Drive West ending at the existing trail at 38th Street

WHEREAS, in the above agreement, the City has pledged sufficient funds to finance its share of the cost of the construction of this project identified as ENH-1(51), and

WHEREAS, the above mentioned agreement provided that the City would pay costs as set forth in the agreement, and

WHEREAS, the State and the City received bids for the construction of this project on

November 13, 2014, at which time 4 bids were received for the construction of the proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has/have been selected as the low bidder(s) to whom the contract(s) should be awarded:

Vontz Paving, Inc., Hastings, NE

Grading, Concrete Pavement, Culverts, General Items: \$476,946.06

NOW THEREFORE, in consideration of the above facts, the City Council of the City of Hastings, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the City hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Council hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The Council hereby authorizes the Mayor to sign the contract(s) with the above mentioned Contractor(s) for the above mentioned work on behalf of the City.

Moved by Skutnik, seconded by Hoops that Resolution No. 2014-48 be passed and approved.
Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.
Nays: None. The motion carried.

RESOLUTION NO. 2014-50

WHEREAS: City of Hastings and Nebraska Department of Roads (NDOR) have previously executed Project Program Agreement BL1069 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 the Federal-aid project; and

WHEREAS: City of Hastings and NDOR wish to enter into Supplemental Project Program Agreement No. 1 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 Project Program Supplemental Agreement No. 1 between the City of Hastings and the NDOR.

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

NDOR Project Number: ENH-1(5)
NDOR Control Number: 42688
Project Location: Pioneer Spirit Trail Phase IIIA

Moved by Skutnik, seconded by Hoops that Resolution No. 2014-50 be passed and approved.
Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.
Nays: None. The motion carried.

RESOLUTION NO. 2014-51

WHEREAS: City of Hastings and Nebraska Department of Roads (NDOR) have previously executed Project Program Agreement BL 1068 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 the Federal-aid project; and

WHEREAS: City of Hastings and NDOR wish to enter into Supplemental Project Program Agreement No. 1 setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

BE IT RESOLVED: by the City of Hastings, Nebraska that:

Vern Powers, Mayor of the City of Hastings, Nebraska is hereby authorized to sign the attached Project Program Supplemental Agreement No. 1 between the City of Hastings and the NDOR.

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

NDOR Project Number: ENH-1(51)
NDOR Control Number: 52688A
Project Location: Pioneer Spirit Trail Phase IIIB

Moved by Harrington, seconded by Niemeyer that Resolution No. 2014-51 be passed and approved. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

ORDINANCE NO. 4420

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 3-405 OF THE OFFICIAL CITY CODE TO PROVIDE FOR A CHANGE IN THE WAY THAT ACCRUED SICK LEAVE IS HANDLED ONCE AN EMPLOYEE REACHES HIS/HER MAXIMUM ACCRUAL OR WHEN AN EMPLOYEE RETIRES OR DIES WHILE EMPLOYED BY THE CITY OF HASTINGS; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCES OR SECTIONS IN CONFLICT HEREWITH; 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.

Councilman Niemeyer stated he is going to vote against this, he has a problem with accruing sick leave. There are other ways that we can pay for time off, but this would be rewarding employees for coming to work when they are sick. When it comes to sick leave, he is more of the mind set "use it or lose it.

Councilman Goebel stated this is an ordinance and will affect both non-utility employees and utility employees, but there are items similar to this that are not written in the ordinance, but are in employee policies. This would give us a good chance to bring all employee policies uniformed.

The Mayor stated if an employees has accrued sick, what kind of buy out are we looking at.

The City Administrator stated currently it is 25% after 10 years, but prevalent practice is 50% after 20 or 25 years.

Councilman Goebel 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, 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. 4420 be passed and adopted?" Upon roll call vote the following Councilmen voted YEA: Harrington, Peterson, Odom, Krings, Hoops, Skutnik, Goebel. NAY: 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 December 24, 2014.

ORDINANCE NO. 4421

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, AMENDING CHAPTER 32, ARTICLE VI, OF THE HASTINGS CITY CODE PERTAINING TO WATER; REVISING THE BOUNDARIES OF THE HASTINGS INSTITUTIONAL CONTROL AREA; DEFINING TERMS; REPEALING INCONSISTENT PROVISIONS; AND ESTABLISHING AN EFFECTIVE DATE

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

Councilmember Hoops 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. 4421 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 December 24, 2014.

Moved by Odom, seconded by Niemeyer that the meeting adjourn sine die. 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)

ORGANIZATIONAL COUNCIL MEETING OF DECEMBER 8, 2014

Tom Hawes, Adams County Clerk Magistrate, administered the oath of office to 1st Ward Councilmember Genevieve Skutnik,; 2nd Ward Councilmember Sara Hoops; Third Ward Councilmember John Harrington and 4th Ward Councilmember J. Phillip Odom.

The meeting was called to order by Mayor Powers with the following members present: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Absent: None.

At this time the Council proceeded to elect a President of the City Council.

Moved by Niemeyer that Councilman Michael Krings be nominated Council President.

Moved by Goebel that Councilmember Kathy Peterson be nominated Council President.

Moved by Skutnik, seconded by Harrington that the nominations for Council President be closed.

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

After tally of the votes cast, the Mayor advised that Councilmember Kathy Peterson had been elected Council President.

At this time the Council proceeded to elect a Vice President of the City Council.

Moved by Krings that Councilman Everett Goebel be nominated Council Vice President.

Moved by Niemeyer that Councilmember Sarah Hoops be nominated Council Vice President.

Moved by Skutnik, seconded by Hoops that the nominations for Council Vice President be closed. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik,

Goebel. Nays: None. The motion carried.

After tally of the votes cast, the Mayor advised that Councilman Everett Goebel had been elected Council Vice President.

Moved by Krings, seconded by Hoops that the Mayor and Council go into Executive Session to discuss personnel at 7:47 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Councilmember Skutnik left the meeting at 7:47 P.M.

Moved by Niemeyer, seconded by Hoops that the Mayor and Council go out of Executive Session at 7:55 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Goebel. Nays: None. Absent: Skutnik. The motion carried.

Moved by Niemeyer, seconded by Goebel there being no further business to come before the Council, the meeting adjourn at 7:55 P.M. Roll Call: Ayes: Harrington, Peterson, Odom, Niemeyer, Krings, Hoops, Goebel. Nays: None. Absent: Skutnik. The motion carried.

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)

12-8-2014