

CITY OF HASTINGS, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

Monday, January 26, 2015

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted in the Council Chambers of City Hall, 220 N. Hastings Avenue, on January 26, 2015.

The meeting was called to order at 7:00 p.m. in regular session by Mayor Powers with the following members present: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Absent: None.

Moved by Odom, seconded by Niemeyer that the Agenda for the January 26, 2015 Regular Meeting be adopted. Official Notice of the meeting was given in the Hastings Tribune on Friday, January 23, 2015. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Mayor read the Public Notice – Pursuant to the Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today’s agenda and all reproducible written material which will be discussed at today’s meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

REPORTS OF LIAISONS: Councilmember Goebel reported on the January 15, 2015, Board of Public Works Meeting. The American Council of Engineering, Nebraska Region, will be giving an honor award for Engineering Excellence to HDR Engineering. HDR did the engineering on the expansion of the waste water treatment plant and this award will be presented at an awards banquet in Omaha February 25, 2015. The next Board of Public Works meeting will be this Thursday, January 29th, in the Hastings Utilities Board Room. Councilmember Odom and Councilmember Goebel are both members of the Street Light Committee, which is looking at the process of converting all street lights over a period of time to LED lights. They would like to do this within a 5 year period maximum. Councilmember Goebel thanked the Engineering Department and Jack Newlun (Landfill Supt.) for getting a grant for tire disposal. The tire disposal event was held at the Landfill, at no cost to our citizens, because of the grant obtained. The Hastings Public Access Board Meeting was held January 20th. Councilmember Goebel is a member of that Board, which approved the 2015 budget for HPAC and also completed a salary review of employees. He stated that they are looking to add another member to that Board. They also had an IRS update on 501C3 (Status as Non-Profit Organization).

Councilman Goebel stated the Mayor’s Youth Council will meet on January 28, 2015 at 8:30 P.M. in the City Council Chambers.

Councilmember Duval reported on the Complete Streets Committee. This group was assembled by the Mayor and meets quarterly. The Committee consists of people from Engineering, Hastings Utilities, and Parks & Recreation. She spoke of a resolution which was passed by City Council to think more of complete streets when designing streets. She stated that when she talks about complete streets, she means that streets should not be used just for cars, but also for bikers and walkers. At the last meeting the committee looked at bike routes. A bike route exists, but is in need of updated signs and possibly the routes themselves. Police are involved to help establish which streets would be safer for these routes. She stated that she wants Council to think about the 1 & 6 Year Plan for streets, with complete streets in mind when Dave Wacker presents to the Council this year. After their next meeting, she should have a better idea of the bike routes.

CITIZEN COMMUNICATIONS:

Dan Rutt, 415 Saunders. Passed out flyers to Council regarding building project (Special Use Permit given by Council in August 2014). Thanked the Council for all their support.

MAYOR'S COMMUNICATIONS: Mayor Powers recognized the service anniversaries for Ed Fleharty of Hastings Utilities for 35 years of service as of January 31, 2015; Dean Nelson of Hastings Utilities for 35 years of service as of January 31, 2015; and Albert Boner of Hastings Utilities for 30 years of service as of February 4, 2015.

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

- 1(a) Minutes of the Council Meeting of January 12, 2015.
- 2(a) Application of Midtowne Mart, LLC for a Special Designated License on February 20, 2015 at the City Auditorium.
- 4(a) Payroll for the period ending January 31, 2015, paid February 6, 2015.
- 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, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.
Nays: None. The motion carried.

At this time a public hearing was held on the request of the City of Hastings, Redevelopment Authority, for review of Hastings Redevelopment Plan III, Plan Modification No. 5 (Emerson Estates Redevelopment Project) for Lots 1 through 8, Emerson Estates for consistency with the Hastings Comprehensive Plan.

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.

There being no other persons wishing to speak, the Mayor declared the hearing closed.

RESOLUTION NO. 2015-4

WHEREAS, the Community Redevelopment Authority of the City of Hastings, Nebraska, has prepared Redevelopment Plan III (Hastings South Redevelopment Plan), first adopted by the Authority on 15th day of August, 1991, and approved by the Mayor and City Council of Hastings, Nebraska, on the 9th day of September, 1991; and

WHEREAS, the Community Redevelopment Authority has approved of Redevelopment Plan III, Plan Modification No. 5, and forwarded that Modification to the Hastings City Council for its approval; and

WHEREAS, Plan Modification No. 5. has been accompanied by the recommendation of the Hastings Planning Commission and other information required by statute; and

WHEREAS, the Hastings City Council has now reviewed Plan Modification No. 5, together with the Planning Commission's recommendation, and the other information required by statute, including, but not limited to, the Allocation Agreement for the Emerson Estates Redevelopment Project; and

WHEREAS, the Hastings City Council held a hearing on the Plan Modification 5 to Redevelopment Plan III, on the 12th day of January, 2015; and,

WHEREAS, the Hastings City Council found Plan Modification No. 5 to be feasible and in conformity with the general plan of redevelopment of the City as whole, and is in conformity with the legislative declaration and determinations set forth in Neb. Rev. Stat. §§18-2101 et seq, as amended;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the Hastings, Nebraska, that:

- 1) Redevelopment Plan III, Plan, Modification No. 5, a copy of which is attached hereto, marked Exhibit "A" and incorporated herein by this reference, be and the same is hereby approved;

2) The Community Redevelopment Authority of the City of Hastings, Nebraska, is hereby authorized to take such actions as are necessary to implement the Redevelopment Project set forth in the said Modification and the actions of the Authority, its officers and/or members are hereby ratified and confirmed in all respects; and

3) The Redevelopment Plan III, as amended and modified, and the Allocation Agreement are ratified, reaffirmed, and approved in all respects, and the Mayor is hereby authorized to execute said documents as necessary to complete the Project.

Moved by Skutnik, seconded by Niemeyer that Resolution No. 2015-4 be passed and approved.

Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.

Nays: None. The motion carried.

Moved by Hoops, seconded by Niemeyer that the Mayor be authorized to execute Allocation Agreement between the City of Hastings and the Community Redevelopment Authority in connection with Emerson Estates, LLC Redevelopment Project.

Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.

Nays: None. The motion carried.

Moved by Krings, seconded by Niemeyer for Approval of the Redevelopment Memorandum of Understanding with WRK, LLC and Chief Industries, Inc. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Dave Rippe, representing the Hastings Economic Development Corporation, 301 S. Burlington Avenue, spoke in support. He stated that our community has lost 99% of the city's conference and convention center business. He stated that the moneys on our side from the Redevelopment Agreement will be used for architectural and engineering services specifically related to the auditorium expansion and the engineering requirements associated with site analysis and utility relocations. On the developer end, the same amount of funds will be committed for architectural services associated with the hotel and mixed use development along with onsite parking.

Shayna Smith, representing the Adams County Convention and Visitor's Bureau, 502 East 'D' Street, spoke in support. She stated that this development would update our historic Hastings Auditorium. She stated that the planned multi-use addition would make both venues an attractive location for local, state, and regional event and meeting planners.

Mr. Dave Ptak (City Attorney) stated that he spoke with Phil Lorenzen (D.A. Davidson) and Phil recommended that any motion to approve this agreement would reserve the right to recoup any expenditures made under the MOU from the method of financing undertaken for the project. This is the way we reserve the ability to recoup the taxpayer's dollars that have been spoken about.

Councilmember Duval asked Mr. Ptak for a further explanation in order to gain a better understanding.

Mr. Ptak explained that the MOU being discussed would have the City expending up to \$175,000. Depending on the method of financing for the project, there are various ways we could recover all or a portion of that \$175,000 through the way the project would be financed. If the project goes forward, we would be able to recover our dollars. The way the MOU is written, any dollars that would be expended by the City at this point in time would go towards the auditorium renovation and looking at the conference link and conference center, which is something we were going to do as part of the Department of Economic Development Grant that we have for the renovation. Therefore, it's not money we will lose at this point, it is money that will be used to help the auditorium project. But, if the bigger project moves forward, any moneys that we had spent up until that point in time, if we can recover it, we will use through the method of the ultimate financing of the entire project.

Councilmember Duval stated that from what she understands, we will spend the \$175,000 grant on the auditorium. We will spend \$175,000 of City money, but that will be for architectural services that we would have been doing for the auditorium anyway.

Mr. Ptak stated that it was a fair statement.

Councilmember Harrington stated that we haven't talked about how we will finance the downtown project.

Mr. Ptak mentioned several ways of funding the project. He stated that the City wants to reserve the opportunity for the City to recoup the funds.

Mr. Patterson said this item is not in the 2014-15 Budget, but the City has a contingency fund within the budget, which could be used for that purpose.

Councilmember Harrington stated that he is concerned about being premature and too many questions yet to be asked. He suggested that the Council wait 30 to 60 days for the Howard Johnson property sale.

Mayor Powers reminded the Council that there have been weekly meetings for a year on this project. He does not believe it is premature.

Councilmember Goebel stated that we have two very good interested parties in Chief Industries and WRK working with us. We do have an opportunity, should the actual Redevelopment Agreement not come out, to back out of it. We would lose the \$175,000 that we put into the project. That would have value in the work that we need to do to the City Auditorium. He asked if we do enter into the MOU tonight, and the redevelopment agreement falls apart, are the architectural drawings and all the engineering work that we paid for City of Hastings' property?

Mr. Ptak stated that it would depend upon the contract with the architects and engineers. We do not have those agreements in place at this time.

Councilmember Goebel stated that he wants to make sure that we would own the architectural and engineering drawings that we paid for, and they would not go with the developer if they leave.

Councilmember Odom asked if the auditorium is in the budget to do the architectural work? Joe Patterson stated that \$1.5 million is budgeted, \$750,000 is the grant and \$750,000 is general fund dollars. The architectural services would be part of the project cost, so could be paid for by the grant. Either way, with or without the project, the auditorium could get done. Councilmember Odom stated his concern that all the questions are not answered, but have partners that are working with the City in good faith. He stated that \$175,000 is a large sum of money, but at some point we have to put some money on the line to get a basic design if not a complete design. Once we do this, we will have information that will help to decide how we can finance it. We need to take this step. It is the appropriate thing to do. The money we spend is money we will have to spend anyway.

Councilmember Krings stated his understanding is that we are being asked to commit no more than \$175,000 to determine on a large scale if it is feasible for a private developer to come into our town and spend \$30 million plus of their own money on a project in our downtown. Coupled with the fact that when it is all said and done, we will need to renovate the auditorium and we will have the money to do it. This will help to that end.

Councilmember Niemeyer stated that in the 26-27 years that he has lived in this community, he has never seen a project to this scale. The \$175,000 is a lot of money, but not that much money to invest in the future of our community, the future of Hastings.

Councilmember Duval stated that we will get the architectural services for the \$175,000, but we want to make sure that if we need to pullout we still haven't lost anything. As we go further down the road \$9 million is a lot of money. She questioned if that amount of money is a usual amount that the City invests in projects.

Councilmember Harrington stated the money would be better spent in the northern direction, and it is a big risk to be located downtown. We have to be prudent in proceeding.

Moved by Krings, seconded by Niemeyer to amend the original motion to approve the Redevelopment Memorandum of Understanding with WRK, LLC and Chief Industries, Inc., with the Proviso that the City would reserve the right to recover any expenditures made under the Memorandum of Understanding through the method of financing undertaken for the project.
Roll Call: Ayes: Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: Harrington.
The amendment carried.

The Mayor stated that if there were no objections, the Council will consider Resolution No. 2015-6 at this time.

There were no objections.

RESOLUTION NO. 2015-6

WHEREAS, the City of Hastings, Nebraska on January 21, 2015, received Referendum Petitions seeking the repeal of Ordinance No. 4397, passed by the Mayor and City Council on July 14, 2014, which vacated a portion of 9th Street between Elm Avenue and Ash Avenue; and

WHEREAS, Neb. Rev. Stat. §15-2518 provides that upon the filing of a Referendum Petition with the City Clerk that the Mayor and City Council shall adopt a resolution requesting that the Adams County Clerk or Adams County Election Commissioner ascertain whether the Referendum Petition is signed by the requisite number of voters as provided by law; and

WHEREAS, Neb. Rev. Stat. §15-2518 also provides that the City of Hastings shall reimburse Adams County for any costs incurred by the Adams County Clerk or Adams County Election Commissioner in verifying whether the Referendum Petition is signed by the requisite number of voters as provided by law; and

WHEREAS, the Adams County Clerk's office has been contacted and has mutually agreed with the City of Hastings to ascertain whether the Referendum Petition is signed by the requisite number of voters as provided by law;

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

BE IT RESOLVED by the Mayor and City Council of the Hastings, Nebraska, that pursuant to Neb. Rev. Stat. §18-2518 the City of Hastings, Nebraska, hereby requests that the Adams County Clerk or Adams County Election Commissioner ascertain whether the Referendum Petitions received and filed with the City Clerk on January 21, 2015 are signed by the requisite number of voters as provided by law and upon verification thereof to notify the City of Hastings of the results whether or not one hundred percent of the necessary signatures required by sections 18-2501 to 18-2537 have been obtained.

BE IT FURTHER RESOLVED by the Mayor and City Council that the City of Hastings hereby agrees to reimburse Adams County for any costs incurred by the Adams

County Clerk or Adams County Election Commissioner in verifying whether the Referendum Petition is signed by the requisite number of voters as provided by law.

Moved by Odom, seconded by Krings to pass and approve Resolution 2015-6.

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

Mayor Powers thanked all people who worked on this action. It shows that people in Hastings care, are vibrant, and active in the community.

Councilmember Niemeyer stated that he hopes that apathy in the community doesn't jeopardize what might be good for the community. He hopes voter turn-out is strong for both sides of the issue, if this comes to an election.

Mayor asked to file into public record a letter from Robert W. Lippstreu, which was given to the Clerk today. (Letter attached to and made part of these minutes.)

Councilmember Odom asked for an explanation of the process.

Mr. Ptak explained that the County Clerk (County Election Commissioner) will verify the signatures. The County Clerk will report if there are or are not sufficient signatures. The State Statute requires them to give us a report. Once the report is received, if there are sufficient signatures, the City has 30 days in which to hold a meeting to either repeal or amend the item that the referendum seeks to address. If neither is done, then the item would automatically be on the next municipal election which would be either a primary or general election. That election would be the primary in May of 2016. However, the city is also given the ability to pass a resolution requesting a special election. The special election would be held as set up by the County Clerk and the County Clerk would ascertain whether it would be a polling place or mail in election. The City can make a recommendation, but it is up to the County Clerk to make that determination.

Mayor Powers stated the petitions have been in the vault since receiving them on January 21st. The petitions will be walked over to the County Clerk and she will start on the verification. The County Clerk told Mr. Ptak that it would probably take anywhere from ten days to two weeks to verify.

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

Moved by Skutnik, seconded by Niemeyer to approve Community Development Block Grant amendment request for 2012 Downtown Revitalization Phase II Project (12-DTR-107) to extend the grant contract termination date from May 28, 2015 to December 31, 2015.

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

Moved by Goebel, seconded by Skutnik to approve the contract with South Central Economic Development District, Inc. for grant administration services in an amount not to exceed \$25,000.00 for 2014 Comprehensive Revitalization Phase II Supplemental project (CDBG Contract 14-CR-108) and authorize the Mayor to execute the same.

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

Moved by Odom, seconded by Niemeyer that the Mayor be authorized to execute the Settlement Agreement with OneBeacon America Insurance Company.

Mayor Powers stated that this will be the end of the EPA insurance lawsuit that has gone on since 1983.

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

RESOLUTION NO. 2015-2 (PMP L.L.C)

WHEREAS, the Hastings City Council is considering the annexation to the City of Hastings; and

WHEREAS, Neb. Rev. Stat. 16-117 (Reissue 1991) requires that the City Council adopt a resolution stating that the City is considering the annexation of such lands; and

WHEREAS, said statute also requires that the City prepare and adopt a plan for extension of City services to the land considered for annexation; and

WHEREAS, said Plan has now been prepared, and it has been reviewed by the Hastings City Council.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Hastings, Nebraska, as follows:

- 1. That the Hastings City Council is considering the annexation of certain land to the City of Hastings, and the description of the boundary of such land is as follows:**

A tract of land in both Lot 1, Block 1, Industrial Park North Subdivision No. 3 and Lot 1, Block 2, Industrial Park North Subdivision No. 6 lying in the North Half (N1/2) of Fractional Section 31, Township 8 North, Range 9 West of the 6th P.M., Adams County, Nebraska and more particularly described as follows:

Referring to the Northwest Corner of Lot 1, Block 1, Industrial Park North Subdivision No. 3 in the North Half (N1/2) of Fractional Section 31, Township 8 North, Range 9 West of the 6th P.M., Adams County, Nebraska, said Corner also being on the East Right – of – Way line of Yost Avenue; Thence S 89°44'55" E (assumed bearing) on the North line of said Lot 1 (existing Corporation Line) a distance of 198.65 feet to the existing Corporation Corner and the TRUE POINT of BEGINNING; Thence continuing S 89°44'55" E along said North line (existing Corporation Line) a distance of 87.50 feet; Thence S 00°15'10" W (90°) a distance of 420.02 feet to a point on the South line of Lot 1, Block 2, Industrial Park North Subdivision No. 6; Thence N 89°44'55" W along the South line of said Lot 1 a distance of 87.50 feet to a point being the existing Corporation Corner; Thence N 00°15'10" E along the existing Corporation line a distance of 420.20 feet to the Point of Beginning.

- 2. A public hearing on the questions of this annexation is hereby scheduled for February 24, 2015, at 7:00 p.m. in the Council Chambers of City Hall, 220 North Hastings Avenue, Hastings, Nebraska 68901.**
- 3. A Plan of the City of Hastings for extension of City services to the land proposed for annexation is available for inspection during regular business hours in the Office of the City Clerk, 220 North Hastings Avenue, Hastings, Nebraska 68901.**
- 4. The Plan described hereinabove has been reviewed by the Mayor and City Council and is hereby approved.**
- 5. The Hastings City Clerk shall cause a copy of this Resolution and a copy of the map drawn to scale delineating the land proposed for annexation, which map is attached to the above-described Plan, to be published in the Hastings Tribune at least one time, not less than ten days prior to the date of the public meeting.**
- 6. The Hastings City Clerk shall cause a copy of this Resolution to be sent by first class mail to the school board of any school district in the land proposed for annexation.**

Moved by Niemeyer, seconded by Skutnik to pass and approve Resolution 2015-2.

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

RESOLUTION NO. 2015-3 (Centennial Plastics – HEDC)

WHEREAS, the Hastings City Council is considering the annexation to the City of Hastings; and

WHEREAS, Neb. Rev. Stat. 16-117 (Reissue 1991) requires that the City Council adopt a resolution stating that the City is considering the annexation of such lands; and

WHEREAS, said statute also requires that the City prepare and adopt a plan for extension of City services to the land considered for annexation; and

WHEREAS, said Plan has now been prepared, and it has been reviewed by the Hastings City Council.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Hastings, Nebraska, as follows:

- 1. That the Hastings City Council is considering the annexation of certain land to the City of Hastings, and the description of the boundary of such land is as follows:**

A tract of land being part of Lots 1 and 2, Centennial Subdivision located in Hastings Industrial Park West in the Southeast Quarter (SE ¼) of Section 14, Township 7 North, Range 10 West of the 6th P.M., Adams County, Nebraska and more particularly described as follows:

Referring at the Southeast Corner of Lot 2, Centennial Subdivision, said Corner also being on the Westerly Right – of – Way line of Centennial Avenue, all being located in Hastings Industrial Park West in the Southeast Quarter (SE ¼) of Section 14, Township 7 North, Range 10 West of the 6th P.M., Adams County, Nebraska; Thence N 45°34'16" W (assumed bearing) along the Southerly line (existing Corporation line) of said Lot 2 a distance of 163.48 feet: Thence continuing along said Southerly line (existing corporation line) N 69°00'00" W a distance of 330.19 feet to a point being the existing Corporation Corner and the TRUE POINT OF BEGINNING: Thence N 60°17'18" E on the existing corporation line a distance of 945.62 feet to a point on the East line of Lot 1, Centennial Subdivision; Thence N 00°17'18" W along said East line a distance of 51.63 feet; Thence S 60°17'18" W a distance of 1,007.75 feet to a point on the Southerly line of said Lot 2; Thence S 69°00'00" E along the said Southerly line a distance of 58.14 feet to the Point of Beginning.

- 2. A public hearing on the questions of this annexation is hereby scheduled for February 24, 2015, at 7:00 p.m. in the Council Chambers of City Hall, 220 North Hastings Avenue, Hastings, Nebraska 68901.**
- 3. A Plan of the City of Hastings for extension of City services to the land proposed for annexation is available for inspection during regular business hours in the Office of the City Clerk, 220 North Hastings Avenue, Hastings, Nebraska 68901.**
- 4. The Plan described hereinabove has been reviewed by the Mayor and City Council and is hereby approved.**
- 5. The Hastings City Clerk shall cause a copy of this Resolution and a copy of the map drawn to scale delineating the land proposed for annexation, which map is attached to the above-described Plan, to be published in the Hastings Tribune at least one time, not less than ten days prior to the date of the public meeting.**
- 6. The Hastings City Clerk shall cause a copy of this Resolution to be sent by first class mail to the school board of any school district in the land proposed for annexation.**

Moved by Skutnik, seconded by Goebel to pass and approve Resolution 2015-3.

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

ORDINANCE NO. 4422

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, CREATING AN ALLEY IMPROVEMENT DISTRICT WITHIN THE CITY OF HASTINGS TO BE KNOWN AS ALLEY IMPROVEMENT DISTRICT NO. 2015-1; DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN.

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

Councilmember Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilmember Krings seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: 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. 4422 be passed and adopted?” Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor signed and approved the ordinance. City Clerk attested the passage approval of the same and affixed her signature thereto. Effective date of the ordinance is February 11, 2015.

RESOLUTION 2015-5

Of the Mayor and Council of the City of Hastings, Nebraska

WHEREAS, The Mayor and Council of the City of Hastings, Nebraska believe that discrimination in housing, employment and public accommodation jeopardize the foundations of a free and democratic society; and

WHEREAS, Such discrimination also threatens the Constitutional rights and privileges of the citizens of Hastings; and

WHEREAS, The Mayor and Council of the City of Hastings desire to guarantee the equality of rights contained in the Constitution of the United States and the Laws of the State of Nebraska and make a firm commitment to eliminate prejudice, intolerance, disorder and discrimination in housing based on race, color, religion, gender, or ethnicity:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Hastings, Nebraska that to further Fair Housing, the City of Hastings will support and participate in an education program coordinated with local realtors, home builders, and/or mortgage lenders designed to provide information on fair housing rights.

Moved by Skutnik, seconded by Hoops to pass and approve Resolution 2015-5.
 Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.
 Nays: None. The motion carried.

Moved by Odom, seconded by Skutnik that the Council approve the Mayor’s Reappointments as follows:

BOARD OR COMMISSION	Appointee	Dates of Term
Business Improvement	Dan Anderson	1/26/15-11/10/18
	Tim Jacobi	11/10/14-11/10/17
Planning Commission	Keith Napier	1/26/15-2/1/18
	Lou Kully	1/26/15-2/1/18

City Tree Board	Liz Halsted	11/15/14-11/15/17
Electrical Exam	Dennis Smidt Eldon Bassett	7/1/14-7/1/16 7/1/14-7/1/16
Mechanical Exam	Gary Primrose Mike Hansen Michael Krings Dave Wacker Steve Johnson	1/26/15-7/1/17 (formerly Gas Board) 1/26/15-7/1/17 (formerly Plumbing Board) Ex-Officio Ex-Officio Ex-Officio
Public Works	Jeanette DeWalt	7/1/14-7/1/19

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

Moved by Duval, seconded by Skutnik that the Mayor and Council go into Executive Session at 7:45 P.M. to discuss litigation. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Krings, seconded by Niemeyer that the Mayor and Council go out of Executive Session into Regular Session at 8:00 P.M. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried .

Moved by Goebel, seconded by Krings there being no further business to come before the Council, the meeting adjourned at 8:00 P.M. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried .

APPROVED:

/s/ Kathy Duval
Chairperson

ATTEST:

/s/ Kimberly S. Jacobitz
City Clerk

(S E A L)