

COUNCIL WORKSESSION, TUESDAY, FEBRUARY 17, 2015 AT 5:00 P.M.

The meeting was called to order at 5:00 P.M. by Council President Duval with the following members present: Harrington, Odom, Niemeyer, Krings, Hoops, Goebel. Absent: Skutnik.

Others present: City Administrator Joe Patterson, City Attorney David Ptak, Police Chief Peter Kortum, Parks & Recreation Director Jeff Hassenstab, Fire Chief Kent Gilbert, City Clerk Kimberly Jacobitz.

Moved by Hoops, seconded by Goebel that the Agenda for the February 17, 2015 Worksession be adopted. Official Notice of the meeting was given in the Hastings Tribune on Friday, February 13, 2015. Roll Call: Ayes: Harrington, Odom, Niemeyer, Krings, Hoops, Goebel. Absent: Skutnik. The motion carried.

Councilperson Duval 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.

FINANCIAL AUDIT PRESENTATION

Brooke Pauley of McDermott & Miller presented the City of Hastings Financial Audit for the period ending September 30, 2014. Ms. Pauley stated the City's primary government exceeded its liabilities at the close of the most recent fiscal year by \$68.5 million (net position). At the close of the fiscal year ending on September 30, 2014 the City's primary governmental funds reported combined ending fund balances of \$23.7 million, an increase of \$5 million in comparison with the prior year. At the end of the current fiscal year, unassigned fund balance for the general fund was \$13 million or 77% of total general fund expenditures. The City's primary government long-term debt decreased by \$923,000 during the fiscal year which ended on September 30, 2014. No major issues found. (Complete Financial Report is available for public inspection at the City Clerk's Office).

DISCUSSION OF REFERENDUM PETITION – 9TH STREET

Mr. Ptak gave a background of events starting with Ordinance 4397, which was passed by the City Council on July 14, 2014. Ordinance 4397 approved the closure of 9th Street through the vacation of the street right-of-way with conditions. Shortly thereafter a citizen group approached the City Clerk with regard to circulate a Referendum Petition. They collected signatures and on January 21, 2015 those Referendum Petitions were received by the City Clerk. Those petitions were taken to Adams County Clerk, after direction from Council. On February 6, 2015 the City Clerk received notice of sufficient verified signatures from the Adams County Clerk. Within 30 days of February 6, 2015 the City Council must consider repeal of Ordinance 4397. Mr. Ptak has prepared an Ordinance and two Resolutions for the City Council Meeting being held February 24, 2015 in order to fulfill the City's obligation of consideration.

Ordinance 4428 would repeal Ordinance no. 4397 vacating a portion of East 9th Street between Elm Avenue and Ash Avenue, which was sought in the Referendum Petition. If there is no decision made on this, the matter would be subjected to an election within the City of Hastings at the next regularly scheduled primary or general election. The next scheduled municipal election would be May 2016.

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Resolution 2015-11 would authorize the City Clerk to notify the Adams County Clerk that the City of Hastings wishes the matter to be set for a special election, according to law. The County Clerk would set the date, time, and place. The City could request of the preference of election type, either polling place or mail-in ballot.

Resolution 2015-12 would direct the City Clerk to cause the issue of whether Ordinance No. 4397 should be repealed at a special election to be held within the City of Hastings and to notify the Adams County Clerk that the City of Hastings requests the special election to be conducted by mail.

The City Council asked for the County Clerk to be asked what percentage of participation is usual in open polling versus a mail-in ballot. Kim Jacobitz will attempt to get that information prior to the Council Meeting on Tuesday, February 24th.

The Council voiced concern over the possibility of low voter turn-out, and the cost of a special election.

DISCUSSION OF RECYCLING

This item will be discussed at the April Council Worksession, per Councilperson Duval's request.

REVIEW OF PROCESS FOR ORDINANCE APPROVAL

Mr. Ptak proceeded with an explanation of the steps for 'Procedure for the passage of Ordinances' to the Council. Ordinance must first be introduced and adopted. (simple majority to pass) Then depending on how that comes out, it would be appropriate to suspend the rules and pass on second and third readings. (super majority to pass)

DISCUSSION OF COUNCIL RETREAT DATES AND TOPICS

Mr. Patterson stated there has been a poor response on dates and topics for the Council Retreat. He requested input from the Council.

The group decided on Thursday, March 19th at 5:30p.m., for the Council Retreat, at an off-site location to be determined.

Moved by Krings, seconded by Niemeyer that the Council go into Executive Session at 5:42 P.M. to discuss negotiations. The motion carried.

Councilperson Skutnik entered into the Executive Session.

Moved by Krings, seconded by Skutnik that the Council go out of Executive Session into Worksession at 6:45 P.M. The motion carried.

Moved by Goebel, seconded by Krings there being no further business to come before the Council, the meeting adjourned at 6:45 P.M. The motion carried.