

CITY OF HASTINGS, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, April 13, 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 April 13, 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 Niemeyer, seconded by Skutnik that the Agenda for the April 13, 2015 Regular Meeting be adopted. Official Notice of the meeting was given in the Hastings Tribune on Friday, April 10, 2015. Roll Call resulted as follows: Aye: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. No: None. The motion carried.

Mayor Powers 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 Board of Public Works meeting held April 2, 2015. Use of refined coal at the plant is scheduled to begin in May 2015, which will decrease cost and emissions. WEC 2 has been down for a scheduled outage, but is back in operation. WEC 1 is now down for scheduled outage. The Board postponed the approval of the UNL Research Agreement for a water study while looking for funding. They approved the transfer of \$1.6 million from the Gas Rate Stabilization Fund to the Street Light Fund in the form of a loan to do a City wide conversion of the street lights to LED fixtures. That loan would be paid back with a 1% interest rate over a term of 5 years. The next Board of Public Works meeting will be held Thursday, April 16 at 9:00a.m. in the Hastings Utilities Board Room. This month's Hastings Utilities newsletter is devoted to comparing our local utility rates to other cities. He commended the Solid Waste Department for the successful Household Hazardous Waste Disposal event held this past weekend. More volunteers are needed.

Councilmember Duval read a short prepared statement, which is attached and made part of these minutes.

Councilmember Odom reported that the 20th Anniversary celebration of the Sister City from Ozu, Japan is moving forward and the committee is meeting on a monthly basis. Anyone interested in taking part or helping with housing, please contact Councilmember Odom. There will be approximately 40 people visiting from Ozu.

CITIZEN COMMUNICATIONS: Deb Sharrick, 1300 Crane Ave., President of Hastings Public Library, spoke on Consent Agenda Item #2A. She requested for that item to be pulled

from the Consent Agenda and postponed until the May 11, 2015, City Council meeting. Library representatives would like the opportunity to discuss that event with the Adams County Agricultural Society prior to the parade's approval.

MAYOR'S COMMUNICATIONS: Mayor Powers recognized the service anniversaries for the following: Douglas Patrick, 30 years of service as of 4/08/2015; Lance Conklin, 15 years of service as of 4/10/2015; Rebecca Matticks, 10 years of service as of 4/11/2015; Thomas Belau, 35 years of service as of 4/14/2015.

Curt Smith, Asst. Fire Chief, gave a brief presentation and one minute video on 'hands-only' CPR and its effectiveness.

Mayor read a proclamation, "Proclaiming the week of April 5-11 as National Volunteer Week". Volunteers from the Museum were recognized and presented with pins (Emma Arthur and Michael Hock).

Moved by Hoops, seconded by Goebel that Item number 2(a) on the Consent Agenda, Approval of the request of the Adams County Agricultural Society for parade route, parking lot use and street closure for Fairfest 2015 Parade on July 11, 2015, be removed from the Consent Agenda and postponed to the May 11, 2015 City Council Meeting.

Roll Call resulted as follows: Aye: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. No: None. The motion carried.

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

- 1(a) Minutes of the Council Meeting of March 23, 2015.
- (b) Minutes of the Council Retreat of March 19, 2015.
- 2(b) Approval of the request of the Hastings Middle School for street closure on May 8, 2015 for Hastings Middle School Glow and Go 3K/5K event.
- (c) Approval of the request of the Hastings Area Chamber of Commerce for street closure on May 21, 2015 for the Walk Out on Work event.
- (d) Approval of the application of Richard L. Kohmetscher dba Dick's Place LLC for a Special Designated License at the Adams County Fairgrounds on June 27, 2015.
- 4(a) Payroll for the period ending April 11, 2015, paid April 17, 2015.
- (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 resulted as follows: Aye: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. No: None. The motion carried.

REGULAR AGENDA:

A public hearing was held on the request of Development Services Department to amend the Comprehensive Plan Land Use Map from Urban Residential to Mixed Use Downtown AND to rezone property from C-3 Commercial Business to C-O Commercial Office. (606 and 624 N. Minnesota Avenue)

Michele Beaver, 606 N. Minnesota Avenue, Suite 2, Executive Director of South Heartland District Health Department spoke in favor of rezoning property from C-3 Commercial Business to C-O Commercial Office. (606 and 624 N. Minnesota Avenue)

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, Mayor Powers declared the hearing closed.

ORDINANCE NO. 4430. . .AMENDING THE FUTURE LAND USE MAP FOUND IN THE CITY OF HASTINGS COMPREHENSIVE DEVELOPMENT PLAN; TO CHANGE THE CLASSIFICATION AFFECTING THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM URBAN RESIDENTIAL TO MIXED USE DOWNTOWN; TO REPEAL ANY ORDINANCES IN CONSISTENT 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 Duval.

Councilmember Krings moved that the statutory rule requiring reading on three different days be suspended; Councilmember Niemeyer 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. NO: 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. 4430 be passed and adopted?’ Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NO: 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 April 29, 2015.

ORDINANCE NO. 4431.. AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA AS DESIGNATED AND DESCRIBED IN SECTION 34-105 OF THE HASTINGS CITY CODE; TO CHANGE THE DISTRICT CLASSIFICATION AFFECTING THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE; TO REPEAL ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

Councilmember Skutnik 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. NO: 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. 4431 be passed and adopted?’ Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. NO: 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 April 29, 2015.

Moved by Skutnik, seconded by Hoops for approval of changing the day of the monthly work session from the Tuesday before the second Council meeting of each month to the Monday before the second Council meeting of the month.

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

Moved by Niemeyer, seconded by Harrington for approval of the time of the regular City Council meeting from beginning at 7:00 p.m. on the second and fourth Monday of each month to beginning at 5:30 p.m. on those same days.

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

Moved by Niemeyer, seconded by Skutnik for approval of Community Development Block Grant amendment request for Comprehensive Revitalization Phase I (CDBG 13-CR-008) to extend the grant contract termination date from August 1, 2015 to December 1, 2015.

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

Moved by Niemeyer, seconded by Odom for approval of application of Hastings College for preliminary/final plat of Hastings College First Addition.

Councilmember Goebel asked Dave Wacker to clarify if the Flood Zone Survey would have an impact on this plat. Dave Wacker responded that additional data had been submitted to Nebraska Department of Water Resources.

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

Moved by Goebel, seconded by Hoops for approval of the purchase of one used ambulance for the Fire Department from Global Emergency Vehicles Inc. in the amount of \$49,500.00 plus shipping.

Kent Gilbert, Fire Chief, stated that this unit will replace Rescue Unit 6, which was the oldest ambulance. Gilbert stated that the estimated cost of shipping is \$1,200 to \$1,600.

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

RESOLUTION NO. 2015-13

WHEREAS, City of Hastings is developing a transportation project for which it intends to obtain Federal funds;

WHEREAS, City of Hastings as a sub-recipient of Federal-aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

WHEREAS, City of Hastings and Nebraska Department of Roads wish to enter into a Professional Construction Engineering Services Agreement to provide construction engineering services 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, is hereby authorized to sign the attached construction engineering services agreement between the City of Hastings, Nebraska, and Nebraska Department of Roads.

NDOR Project Number: ENH-1(50)

NDOR Control Number: 42688

NDOR Project Description: Pioneer Spirit Trail Phase IIIA (Easterly Portion).

Moved by Skutnik, seconded by Duval to pass and approve Resolution 2015-13.

Dave Wacker stated that this and the following agreement allow the City of Hastings Engineering Department to provide Engineering Services for the two Pioneer Spirit Trail Projects. Construction will begin in 2015 and the City will be reimbursed for 80% of the cost of staff time spent on the projects.

Mayor Powers thanked Dave Wacker for his work on construction projects and funding sources.

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

RESOLUTION NO. 2015-14

WHEREAS, City of Hastings is developing a transportation project for which it intends to obtain Federal funds;

WHEREAS, City of Hastings as a sub-recipient of Federal-aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

WHEREAS, City of Hastings and Nebraska Department of Roads wish to enter into a Professional Construction Engineering Services Agreement to provide construction engineering services 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, is hereby authorized to sign the attached construction engineering services agreement between the City of Hastings, Nebraska, and Nebraska Department of Roads.

NDOR Project Number: ENH-1(51)

NDOR Control Number: 42688A

NDOR Project Description: Pioneer Spirit Trail Phase IIIA (Westerly Portion).

Moved by Odom, seconded by Niemeyer to pass and approve Resolution 2015-14.

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

Bob Parker, Seiler & Parker Law Firm, 726 Eastside Blvd, appeared to speak to update Council on Howard Johnson property on the north end of Hastings.

Moved by Hoops, seconded by Skutnik that the Council go into Executive Session at 7:41 P.M. for the purpose of discussing City of Hastings organizational study. Roll Call resulted as follows: Aye: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Skutnik, seconded by Duval that the Council go out of Executive Session into Regular Session at 7:55 P.M. Roll Call resulted as follows: Aye: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Odom, seconded by Niemeyer for approval of awarding bid for the organizational study of the City of Hastings to the Novak Consulting Group for \$89,975.

The Council discussed that the Organizational Study will give a general overview and direction to all departments.

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

Moved by Niemeyer, seconded by Skutnik that the Council go into Executive Session at 8:10 P.M. for the purpose of real estate negotiations. Roll Call resulted as follows: Aye: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Odom, seconded by Niemeyer that the Council go out of Executive Session into Regular Session at 8:44 P.M. Roll Call resulted as follows: Aye: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Odom, seconded by Niemeyer there being no further business to come before the Council, the meeting adjourned at 8:44 P.M. Roll Call resulted as follows: Aye: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)