

CITY OF HASTINGS, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, April 27, 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 27, 2015.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Powers with the following members present: Harrington, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Absent: Duval.

Moved by Niemeyer, seconded by Skutnik that the Agenda for the April 27, 2015 Regular Meeting be adopted. Official Notice of the meeting was given in the Hastings Tribune on Friday, April 24, 2015. Roll Call resulted as follows: Aye: Harrington, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None Absent: Duval 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 16, 2015. WEC 1 is now down for scheduled outage, but should be completed this week. The Board reviewed the Financial End of Year Report for 2014. The next meeting for the Board of Public Works is scheduled for this Thursday, April 30, 2015, at 9a.m. at Hastings Utilities. Marv Schultes responded to Mayor Powers’ question on the topic of hydrogen burner conversion. Marv stated that the Board will talk about that at the next Board meeting.

MAYOR’S COMMUNICATIONS: Mayor Powers recognized the service anniversaries for the following: Mark Turner, 25 years of service as of 4/23/2015; Scott Struss, 20 years of service as of 5/1/2015; Barbara Conklin, 15 years of service as of 5/1/2015; Kent Gilbert, 35 years of service as of 5/1/2015.

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

- 1(a) Minutes of the Council Meeting of April 13, 2015.
- 2(a) Approval of the application of the Disabled American Veterans Club for a Special Designated License at the Colonial Gardens Event Center on June 13, 2015.
- (b) Approval of the application of Richard Kohmetscher dba Dick’s Place, LLC for a Special Designated License at the City Auditorium on August 1, 2015.
- (c) Approval of the application of Richard Kohmetscher dba Dick’s Place, LLC for a Special Designated License at the Adams County Fairgrounds on August 22, 2015.

- (d) Approval of the application of Richard Kohmetscher dba Dick's Place, LLC for a Special Designated License at the Colonial Gardens on August 29, 2015.
- (e) Approval of the application of Richard Kohmetscher dba Dick's Place, LLC for a Special Designated License at the City Auditorium on August 29, 2015.
- 4(a) Payroll for the period ending April 25, 2015, paid May 1, 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, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None Absent: Duval The motion carried.

REGULAR AGENDA:

A public hearing was held on the request of Development Services Department to rezone property from I-1 Light Industrial to C-2 Central Business. (106 N. Denver Avenue)

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, Mayor Powers declared the hearing closed.

ORDINANCE NO. 4434. . . AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA TO REZONE LOTS 11 -2 20, BLOCK 24, ORIGINAL TOWN, CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, FROM "I-1, LIGHT INDUSTRIAL DISTRICT" TO "C-3, COMMERCIAL BUISNESS DISTRICT; TO REPEAL ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

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

The Mayor then stated the question was "Shall Ordinance No. 4434 be passed and adopted?" Upon roll call vote the following Councilmembers YEA: Harrington, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None Absent: Duval The motion passed on first reading only.

Councilmember Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilmember Harrington seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Roll Call resulted as follows: YEA: Harrington, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. No: None. Absent: Duval

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 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 upon second and final reading 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 May 13, 2015.

Moved by Goebel, seconded by Odom for approval to award contract to ProEnergy Services of Sedalia, Missouri, for Whelan Energy Center Unit 1 Mercury Control Equipment Construction in the amount of \$176,100.00 which includes an optional scope of supply for fiber optic cable and sales tax.

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

Moved by Skutnik, seconded by Hoops for approval of changing the time of the monthly work session from beginning at 5:00 p.m. on the Monday before the second Council meeting of each month to beginning at 5:30 p.m.

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

Moved by Niemeyer, seconded by Hoops for approval of the Interlocal Cooperation Act Agreement between the City of Hastings and Adams County for East "J" Street and South Elm Avenue Project.

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

Moved by Harrington, seconded by Hoops for approval of the agreement with the Novak Consulting Group to conduct an organizational study for the City of Hastings.

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

ORDINANCE NO. 4435. . . REPEALING THE EXISITING CHAPTER 15 OF THE OFFICIAL CITY CODE DEALING WITH MOTOR VEHICLES AND TRAFFIC AND TO ENACT A NEW CHAPTER 15 TO REPLACE IT DEALING WITH MOTOR VEHICLES AND TRAFFIC; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

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

Discussion was held on City Code Chapter 15 Section 419 regarding requirements of parking dumpsters and roll-off containers. Development Services will be responsible for issuing permits. Ptak stated the need for these to be parked off the ROW if possible. If not, reflectors need to be required. Joe Patterson will work with staff in order to develop criteria and work with local haulers to make sure they are in compliance. This will be done administratively by Joe Patterson and staff.

The Mayor then stated the question was “Shall Ordinance No. 4435 be passed and adopted?” Upon roll call vote the following Councilmembers YEA: Harrington, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None Absent: Duval The motion passed on first reading only.

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 Roll Call resulted as follows: YEA: Harrington, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. No: None. Absent: Duval 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 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 upon second and final reading 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 May 13, 2015.

ORDINANCE NO. 4436. . . REPEALING THE EXISITING CHAPTER 8 OF THE OFFICIAL CITY CODE DEALING WITH ALCOHOLIC BEVERAGES AND TO ENACT A NEW CHAPTER 8 TO REPLACE IT DEALING WITH ALCOHOLIC BEVERAGES; 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 Goebel.

The Mayor then stated the question was “Shall Ordinance No. 4436 be passed and adopted?” Upon roll call vote the following Councilmembers YEA: Harrington, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None Absent: Duval The motion passed on first reading only.

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 Roll Call resulted as follows: YEA: Harrington, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None Absent: Duval 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 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 upon second and final reading 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 May 13, 2015.

Moved by Niemeyer, seconded by Skutnik there being no further business to come before the Council, the meeting adjourned at 5:42 P.M.

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

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)