

CITY OF HASTINGS, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, May 11, 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 May 11, 2015.

The meeting was called to order at 5:30 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 Regular Agenda Item 2(f) Public Hearing to amend Section 34-602 of the Hastings City Code regarding lowering the minimum lot size for non-conforming lots of record be removed from the agenda.

Staff has recommended that this item go back to the Planning Commission.

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

Moved by Niemeyer, seconded by Hoops that the Agenda for the May 11, 2015 Regular Meeting be adopted, as amended. Official Notice of the meeting was given in the Hastings Tribune on Friday, May 8, 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 30, 2015. Scott Krieger submitted his verbal resignation, effective at the end of the meeting. Scott’s electrical knowledge has contributed significantly to the Board and he was thanked for his 6 ½ years of service. Keith Leonhardt reported on NPPD’s plan to convert one of their two coal-fired plants to burning hydrogen gas. The next meeting for the Board of Public Works is scheduled for this Thursday, May 14, 2015, at 9a.m. at Hastings Utilities.

MAYOR’S COMMUNICATIONS: Mayor Powers recognized the service anniversary for Charles Holmberg, 30 years of service as of May 14, 2015.

The Mayor read a proclamation proclaiming May 17th through May 23rd Emergency Medical Services Week.

Kent Gilbert stated that the Hastings Fire Department responds to approximately 3,500 calls per year. It is a very rewarding career and makes a positive difference in the community. Mayor Powers requested that Kent give a report on the EMS project and its success at the next City Council meeting.

The Mayor also announced that May 12th is the final day to vote on the 9th Street ballot.

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

- 1(a) Minutes of the Council Meeting of April 27, 2015.
- (b) Minutes of the Worksession of April 20, 2015.
- 2(a) Approval of the request of Hastings Public Schools for use of City streets for CMYK Walk/Run on May 20, 2015.
- (b) Approval of the application of CSI Bladen, Inc. for a Special Designated License at the Adams County Fairgrounds on June 13, 2015.
- (c) Approval of the application of Bullseye's Inc. for a Special Designated License at the Adams County Fairgrounds on May 30, 2015.
- 4(a) Payroll for the period ending May 9, 2015, paid May 15, 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:

Moved by Harrington, seconded by Hoops for 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. (Postponed from the April 13, 2015 Council Meeting.)

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

A public hearing was held on the request of Development Services Department for a zoning amendment to rezone property from C-3 Commercial Business, R-1 Urban Single Family Residential, and CP-O Local Business Planned District to R-1 Urban Single Family (Lots 1, 2 & 4, Anderson Second Sub.) and CP-O Local Business Planned District (Lot 3, Anderson Second Sub.)

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.

Mark Evans noted that 'CP-I' was a typing error and was revised to state 'CP-O'. Mark reported that this hearing is on a previously approved plan district development and solves numerous problems.

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

ORDINANCE NO. 4439. . . AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA THE LOTS WITH 1, 2, AND 3 OF ANDERSON 2ND SUBDIVISION, CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AS FOLLOWS: LOT 1 IS FROM R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT AND C-3, COMMERCIAL BUSINESS DISTRICT TO R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT; LOT 2 FROM R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT AND CP-0, COMMERCIAL OFFICE DISTRICT AND C-3, COMMERCIAL BUSINESS DISTRICT R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT; AND, LOT 3 IS FROM R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT AND CP-0, COMMERCIAL OFFICE DISTRICT" TO CP-0, COMMERCIAL OFFICE DISTRICT; 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 Skutnik moved for passage of the ordinance, which motion was seconded by Councilmember Duval.

The Mayor then stated the question was "Shall Ordinance No. 4439 be passed and adopted?" Upon roll call vote the following Councilmembers YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None The motion passed on first reading only.

Councilmember Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilmember Goebel seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Roll Call resulted as follows:

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 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 27, 2015.

Moved by Skutnik, seconded by Niemeyer for approval of the application of the Development Services Department for preliminary/final plat of proposed Tree Forest Addition.

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

A public hearing was held on the request of Development Services Department to bring Tree Forest Addition into the corporate limits of the City of Hastings.

No one appeared to speak in favor.

No one appeared to speak in opposition.

Mark Evans reported that the City owns this property and is bringing the addition into the City Limits. There are many easements on this addition, which will be left in place at this time. Dave Ptak, City Attorney, suggested that the City keep the easements in place and have staff work towards cleaning up the easements in the near future, since this is a one lot subdivision under the City's ownership.

Marv Schultes stated that Hastings Utilities is building a railroad-bed on this property with recycled fly ash as it becomes available. The lots on this property are not separated at this time, but would need to be re-platted prior to selling in the future.

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.

Moved by Niemeyer, seconded by Krings for approval to bring Tree Forest Addition into the corporate limits of the City of Hastings.

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

Moved by Niemeyer, seconded by Harrington for approval of the application of Patrick Randolph for final plat of Skye Loch 15th Subdivision.

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

Moved by Duval, seconded by Skutnik for awarding contract to Farris Construction for CDBG Project 13-CR-008 (sidewalks) in the amount of \$203,290.00 and CDBG Project 14-CR-008 (sidewalks) in the amount of \$56,236.00 for a combined total of \$259,526.00 and authorizing the Mayor and City Clerk to execute said contract documents.

Joe Patterson stated that several years ago the City Council made a decision to focus funding on sidewalks. This project represents that decision and will concentrate construction in low to moderate income areas.

Councilmember Goebel stated that he hopes that conditions were noted on sidewalks being replaced. These repairs will make a difference to many people within our City.

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

Moved by Goebel, seconded by Hoops for awarding contract to Werner Construction Company for Project R-2015 A-1 Resurfacing Arterial, 12th Street—Bellevue Avenue to Marian Road, in the amount of \$337,615.22 and authorizing the Mayor and City Clerk to execute said contract documents.

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

Moved by Odom, seconded by Skutnik for awarding contract to Vontz Paving, Inc. for Project R-2015, Resurfacing Residential, R-1 through R-9, in the amount of \$865,736.12 with the completion date extended to June 30, 2016 and authorizing the Mayor and City Clerk to execute said contract documents.

Dave Wacker, City Engineer, reported that these nine residential streets are from the approved One & Six Year Plan, with Sales Tax Funds being used.

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

RESOLUTION 2015-15

WHEREAS, a joint All-Hazards Mitigation Plan identifies the vulnerability of public bodies to natural or manmade hazards and the projects that can be implemented to reduce or eliminate vulnerability and exposure, and

WHEREAS, the Federal Emergency Management Agency (FEMA) requires that a public entity must have a current All-Hazards Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters, and

WHEREAS, the Lower Big Blue Natural Resources District and the Little Blue Natural Resources District will serve as the coordinating agencies for the updating of the multi-jurisdictional All-Hazards Mitigation Plan for their respective districts and the nine-county area including all of Adams, Clay, Fillmore, Gage, Jefferson, Nuckolls, Saline, Thayer & Webster counties and all associated local governmental entities for which hazard mitigation planning is desirable, and

WHEREAS, the City of Hastings desires to participate in the multi-jurisdictional All-Hazards Mitigation Plan update process for the benefit of the public we serve,

THEREFORE BE IT RESOLVED that the governing board of the City of Hastings hereby states its willingness to participate in the proposed All-Hazards Mitigation Plan update process described above and will attend necessary meetings and participate in those activities necessary

to complete an effective plan for all entities in the nine-county area. **PASSED AND APPROVED** by the Mayor and City Council of the City of Hastings, Nebraska, this 11th day of May, 2015.

Moved by Hoops, seconded by Skutnik to pass and approve Resolution 2015-15.

Chip Volcek, Adams County Emergency Management, stated that this resolution allows the City of Hastings to apply for grants for mitigation.

Mayor Powers explained that our Wellhead Protection Area is meant to clean up and protect our water source into the future.

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

Mayor Powers reminded citizens that he will be working on appointments to City Boards, but it is mandatory for all appointments to be residents within the City Limits.

Moved by Niemeyer, seconded by Skutnik there being no further business to come before the Council, the meeting adjourned at 6:02 P.M.

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

APPROVED:

Mayor

ATTEST:

City Clerk

(S E A L)