

CITY OF HASTINGS, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

Monday, June 22, 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 June 22, 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 Niemeyer, seconded by Hoops that the Agenda for the June 22, 2015 Regular Meeting be adopted. Official Notice of the meeting was given in the Hastings Tribune on Friday, June 19, 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 was unable to attend the Board of Public Works meeting held June 11, 2015, therefore he had no report. He stated that the next meeting for the Board of Public Works is scheduled for Thursday, July 2, 2015, at 9a.m. at Hastings Utilities.

MAYOR’S COMMUNICATIONS: Mayor Powers recognized the service anniversary for Dennis Salmon, 45 years of service as of June 12, 2015, and presented him with his service pin.

Mayor Powers stated that the City of Hastings was named in a lawsuit in connection with a mash spill cleanup that happened several years ago. He asked the Council to consider if the City should respond to requests for assistance in situations which are located outside the City Limits. He suggested that this may be a topic of discussion for the next Council Worksession.

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

- 1(a) Minutes of the Council Meeting of June 8, 2015.
- 2(a) Approval of the application of BPOE Lodge 159 dba “Hastings Elks Lodge” for a Special Designated License at the Adams County Fairgrounds on August 1, 2015.
- (b) Approval of the application of Juan Rene Lazo dba “El Tropico” for a Special Designated License at the Adams County Fairgrounds on September 12, 2015.

- (c) Approval of the application of Juan Rene Lazo dba “El Tropicco” for a Special Designated License at the Adams County Fairgrounds on August 8, 2015.
- 4(a) Payroll for the period ending June 20, 2015, paid June 26, 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).
- (c) Approval of the payment to South Central Economic Development District, Inc. for \$2,980.00 (Inv. 472) for grant administration services for CDBG Comprehensive Revitalization, Sidewalks Project 13-CR-008.
- (d) Approval of the request for CDBG funds, Drawdown #2 (\$2,980.00) for CDBG Comprehensive Revitalization, Sidewalk Project 13-CR-008.
- (e) Approval of the payment to South Central Economic Development District, Inc. for \$4,988.00 (Inv. 473) for grant administration services for CDBG Comprehensive Revitalization, Supplemental Sidewalks Project 14-CR-008.
- (f) Approval of the request for CDBG funds, Drawdown #1 (\$4,988.00) for CDBG Comprehensive Revitalization, Supplemental Sidewalks Project 14-CR-008.
- (g) Approval of the payment to South Central Economic Development District, Inc. for \$6,440.00 (Inv. 474) for grant administration services for CDBG Comprehensive Revitalization, Supplemental Streets Project 14-CR-108.
- (h) Approval of the request for CDBG funds, Drawdown #1 (\$6,440.00) for CDBG Comprehensive Revitalization, Supplemental Streets Project 14-CR-108.
- 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:

2(a) Public hearing regarding the project status of the City of Hastings Comprehensive Revitalization Community Development Block Grant (CDBG) Projects: Sidewalk Project (13-CR-008), Supplemental Sidewalk Project (14-CR-008), Street Paving Project (13-CR-108), Supplemental Street Paving Project (14-CR-108).

Charlie Wallace, South Central Economic Development District (SCEDD), appeared to speak in favor. He explained that SCEDD is the administrator of the grants. He stated that this is the second of two public hearings required by the State of Nebraska for these projects. This hearing is to be used for a status update, which includes four comprehensive revitalization projects. The first hearing for these projects was held during the application status period.

The sidewalk Project Nos. 13-CR-008 and 14-CR-008 are being done concurrently. These projects are in the construction phase and have an estimated completion date of November 2015.

Project No. 13-CR-108 D Street has completed construction except for seeding and will be closing out the project in July 2015.

Project No. 14-CR-108 is made up of two locations and bid award has been completed. One project location is 7th Street from 6th Avenue to Showboat and the other is Hastings Avenue from 3rd Street south to the railroad tracks. The City will be holding a preconstruction conference for these in the near future.

Randy Morehead, 422 South Rhode Island Avenue, appeared to speak against. One of his concerns is that he was unaware that the project was being considered. He is concerned about difficulty for a handicap person to maneuver the new sidewalk. He stated that there isn't much foot traffic in that area and that resources for new sidewalks might be more beneficial in a different area of Hastings.

Dave Wacker, City Engineer, stated that all sidewalks will be built to ADA standards and handicap ramps will be constructed. He stated that a map of the area chosen for sidewalk construction is available for his review. Deb Bergmann, Project Manager, approached the podium with the location map and briefly discussed the map and sidewalk locations with Mr. Morehead.

Mayor Powers addressed the concern that a better area of town could have been chosen. He explained that the areas chosen by the City were within a certain predetermined area of town.

Bonnie Peterson, 505 South Rhode Island, appeared to speak against. She does not want sidewalks. She stated that nobody will use the sidewalks.

Frank Haack, 402 South Rhode Island, appeared to speak against. He stated that there is no need for a sidewalk in the area.

Carol Aulner, 423 South Rhode Island, appeared to speak against. She does not see the need for sidewalks in that area. Children ride their bicycles in the streets. Her concern is over why she was not notified of the construction. The Mayor stated that the project has been in the news for several months and has been discussed in previous Council meetings.

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.

3(a) GENERAL BUSINESS:

Kent Gilbert, Fire Chief, reported on emergency medical services (Fire Based EMS Report). This report is attached and made a part of these minutes

4(a) Ordinance No. 4438. . .Amending the Zoning District Map to rezone Lots 3, 4, 5, and 6, South Burlington Subdivision from C-2 Central Business District to C-3 Commercial Business District--Ryan Karr and Brian Nauert, Hastings Self Storage. **(Second Reading)**

ORDINANCE NO. 4438. . . AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA TO REZONE LOTS 3, 4, 5, and 6, SOUTH BURLINGTON SUBDIVISION, CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, FROM "C-2, CENTRAL BUSINESS DISTRICT" TO "C-3, COMMERCIAL BUSINESS 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 Niemeyer moved for passage of the ordinance, which motion was seconded by Councilmember Skutnik.

The Mayor then stated the question was “Shall Ordinance No. 4438 be passed and adopted?” Upon roll call vote the following Councilmembers voted as follows: YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None The motion passed on second 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 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. Published in the Hastings Tribune on June 26, 2015. Effective date of the ordinance is July 8, 2015.

Resolution No. 2015-18

Whereas, zero waste is a conceptual ideal rather than a hard target, and consists of a community-based systems approach that aims to change the way materials flow through society; and

WHEREAS, the placement of waste materials in disposal facilities, such as landfills and incinerators, causes damage to human health, wastes natural resources and/or unfortunately transfers the responsibility and potential liability for dealing with such waste materials to future generations; and

Whereas, current technologies used for incineration and the placement of waste materials in landfills do not meet the goals of zero waste alone, and consumers are currently forced to assume the high financial cost of collecting, recycling, and disposing of waste materials; and

Whereas, a resource recovery based economy will create and sustain more productive and meaningful jobs; and

Whereas, most types of waste streams can be easily eliminated through across-the-board minimum recycling content laws, the use of non-toxic alternatives in product design, and local composting facilities; and

WHEREAS, some materials are necessary for the public health and national security, in which case, storage is the only safe alternative, and

Whereas, it is recognized that voluntary recycling goals have not achieved all waste elimination, and

WHEREAS, local government has the unique opportunity to lead by example and establish criteria needed to eliminate waste;

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 City of Hastings, Nebraska, that the City of Hastings, Nebraska supports the creation of a Zero Waste Plan for the City of Hastings in order to eliminate waste and pollution in the manufacture, use, storage, and recycling of materials.

Moved by Duval, seconded by Skutnik to pass and approve Resolution 2015-18.

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

Councilmember Krings wants all concerned citizens to know that the reason there was limited dialogue from the Council tonight during the CDBG project hearing is because the hearing was a status update only, not for decision making. He suggested that any concerns be brought to City staff and the grant administrator. The projects are meant to be positive for the community and make the area more walkable.

Moved by Niemeyer, seconded by Duval there being no further business to come before the Council, the meeting adjourned at 6:05 P.M.

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

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)