

COUNCIL WORKSESSION, MONDAY, SEPTEMBER 21, 2015 AT 5:30 P.M.

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

Others present: Mayor Vern Powers, Joe Patterson, Dave Wacker, Kent Gilbert, Pete Kortum, Jeff Hassenstab, Marvin Schultes, Dave Ptak, Jerry Deichert, Chuck Shoemaker, Willis Hunt.

Moved by Hoops, seconded by Skutnik that the Worksession Agenda be adopted. The motion carried.

Council President Duval read the public meeting notice.

Presentation and discussion of Rural Futures Institute—University of Nebraska-Omaha.

Jerry Deichert, Rural Futures Institute-UNO, began his presentation (Attached and made part of original minutes.) to the Council. He indicated they are looking for communities to participate in their project geared towards identifying opportunities as well as challenges facing rural communities. He stated they are working with micropolitan areas consisting of counties with communities of 10,000 to 50,000 population that serve a regional growth center. Mr. Deichert said they are currently working with Scottsbluff and Columbus, will be working with Fremont and hope to work with Hastings. He indicated that Columbus used the information this project provided for economic development but a community can use the information in any area they are trying to develop. He told Council there would be a planning process which included meetings for community analysis and community engagement. Mr. Deichert stated that if the City of Hastings was interested in joining the project they would be responsible for organizing and advertising for two meetings for the community. He said they would set the meeting place and get the word out to citizens about the meeting.

Mr. Deichert went on to review with Council demographic and economic information for Hastings and Adams County. (Attached and made part of original minutes.) He told Council three-fourths of the population in Adams County lives in Hastings. He said that Adams County is strong in adding people for the most part. He reviewed with Council population changes from the 1970's through 2014. He went on to talk about net migration through the years. Mr. Deichert explained the age distribution for Adams County for 2010 with the largest group being 15 to 24 years old and the smallest group being 35 to 39 years old. He talked about the racial and ethnic diversity of Adams County and the increase over the years. He stated that jobs in Adams County have grown much faster than the population with jobs increasing 40.3% and population increasing 4.2% from 1969 to 2013. He reviewed the breakdown of the inflow and outflow of workers in Hastings.

Mr. Deichert told Council that the information he presented tonight would be presented at the first organizational meeting the City put together if they chose to become part of this project.

Joe Patterson, City Administrator, stated he was approached at his City Manager Meeting by this group and recommend that the City engage in the project.

Councilmember Krings stated he was interested in taking part in the project.

Mr. Deichert stated they would want to get the Chamber of Commerce, Economic Development group and the United Way involved.

Mr. Patterson questioned how Scottsbluff recruited people to attend the meeting. Mr. Deichert stated they went through their state senator and advertised in the paper.

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Discussion of creation of assessment districts for Utilities Department.

Chuck Shoemaker, Hastings Utilities Board Chairman, stated that this issue arose due to a new property lot within the City of Hastings wanting city services. He stated in the past, transition policies have been used to give flexibility to property owners. He indicated that a committee was put together but there was a difference of opinion as to whether transition policy should be used or just stick to state statutes and assess property owners. Mr. Shoemaker told Council the policy stated that the property owner could keep their current septic for five years and not pay and at the end of the five years they would have to hook up and start paying and pay the out-of-district rate which is still not at the full sewer improvement cost or they could follow state statutes and create a district and assess the property owner. He stated he felt it was easier for the property owner to transition into the new expense with the transition policy as opposed to assessing.

Willis Hunt, Hastings Utilities Board Member, stated that they have found in the past that agreements have not been collectible, but with an assessment you can stand in line and collect.

Dave Ptak, City Attorney, reviewed with Council sewer and water assessment districts. (Attached and made part of original minutes.) He started by stating that Hastings Utilities does not have the authority to create assessment districts and that only the Mayor and Council have that authority through state statutes to create districts as well as extension districts. He went on to explain the creation of sanitary sewer extension districts or water extension districts and that the districts may be initiated by petition or a vote of at least three-fourths of all members of Council. Mr. Ptak told Council what the creation ordinance should contain and with the creation of the district, the property owners are compelled to hook up and the cost is assessed. He explained to Council that while the agreements are developer friendly, they are not necessarily consistent with what the City's statutory authority is. He told Council that the special assessments are a lien on the real estate on which they are assessed and take priority over all other encumbrances and liens except the first lien of general taxes. Mr. Ptak indicated that while agreements are more flexible, collectability can be an issue. In conclusion, he stated that the agreements don't mesh with special assessments and that there needs to be more coordination between the City and Utilities on how each is used.

Mayor Powers asked if maybe some specific examples could be used as we look at this issue in the future.

Mr. Ptak stated there is a question of who is managing transition agreements and the fact that there is an inconsistency in how agreements are put together.

Mr. Patterson stated that the out-of-district is an issue because it does not show up on a property record and property is bought without knowing that there is an out-of-district assessment that is owed.

Mr. Shoemaker stated that the transition policies came up to make it easier for citizens but if Council says we don't need them then the Utility Board can live with that.

Dave Wacker, City Engineer, stated that transition policies occurred when annexation came about.

Councilmember Krings stated this is a huge issue and he felt they need to figure out how they work together but he didn't feel they should get hard-line.

Councilmember Goebel stated he felt they needed a better transition agreement and also need to look into the large lot problem.

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Mayor Power stated that if we can't provide utilities to areas then we shouldn't annex. He also stated that he wanted to make sure everyone understood the process of creating districts and using transition agreements.

Councilmember Hoops stated that a pro of following state statutes and creating a district would be the simplicity.

Moved by Skutnik, seconded by Hoops there being no further business to come before the Council, the meeting be adjourned at 7:15 P.M. The motion carried.