

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, December 14, 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 December 14, 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.

The Mayor led the group in recital of the Pledge of Allegiance to the United States of America.

Moved by Niemeyer, seconded by Skutnik that the Agenda for the December 14, 2015 Regular Meeting be adopted. Official Notice of the meeting was given in the Hastings Tribune on Friday, December 11, 2015. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel.
Nays: None. Absent: 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.

Councilmember Goebel reported on the Board of Public Works meeting held December 3rd. He reported Whelan Energy Center Unit 2 has been offline due to low market prices. Prices need to come up before it will be restarted. This is a decision of Public Power Generation Agency (PPGA). Discussion item on extension of utilities on the new truck route. The Board is going to recommend to the Planning and Zoning Committee to have Hastings Utilities supply all utilities to the development site at 42nd and Showboat. This would not only supply utilities to that possible development, but to others who might develop along 42nd Street. The meeting scheduled for December 31st has been moved to 9:00 A.M, Wednesday, December 30th. The next meeting is December 17th, 9:00 A.M. in the Hastings Utilities Boardroom.

Mayor’s Youth Council meeting scheduled for last night was cancelled. The next meeting is in January, date and time yet to be determined.

Councilmember Krings reported that the Hastings Economic Development Corporation met on December 10th. They discussed the addition of the Director of Talent Solution position. Essential role of this position will be to help develop talent within our community through our Public School systems from the grade school level and our ongoing career pathway program. Several new businesses coming to Hastings were discussed. The Hastings Economic Development Corporation and the Hastings Area Manufacturers Association want to be involved in discussion on Novak Study and some of the things we are working on going forward.

Councilmember Hoops reported on the Library Board meeting held last week. They have approved the naming of the Hastings Public Library building, which will be named the Cavilla M. Stroup Library Building. This is in honor of the estate which donated \$1.3 million which helped close out the fundraising for the renovations.

Mayor Powers announced that the January Council Worksession scheduled for January 18th (Martin

Luther King Day) will be moved to 5:30 P.M., January 19, 2016.

Mayor Powers recognized the service anniversaries for Jeanie Pettit, 25 years of service as of December 3, 2015; Claire Sharrick, 40 years of service as of December 15, 2015; Steve Piranio, 35 years of service as of December 1, 2015; John Flanigan, 35 years of service as of December 1, 2015; Donna Patten, 20 years of service as of December 4, 2015.

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

1(a) Minutes of the Council Meeting of November 23, 2015.

(b) Approval of the minutes of the Worksession of November 16, 2015.

(c) Approval of the minutes of the Worksession of November 30, 2015.

2(a) Approval of the manager application of Steven C. Roker in connection with the Class "D" Liquor License of Walgreens Company dba "Walgreens #03269" located at 705 N. Burlington Avenue.

4(a) Payroll for the period ending December 19, 2015, paid December 25, 2015, and for the period ending January 2, 2016, paid January 8, 2016.

(b) Regular claims and authorizing the City Clerk to issue checks against the various funds for payment.

(c) Prepaid claims and authorizing the City Clerk to issue checks against the various funds for payment.

(d) Approve of the payment to South Central Economic Development District, Inc. for \$7,020.00 (Invoice #518) for grant administration services for CDBG Comprehensive Revitalization, Sidewalks Project 13-CR-008.

(e) Approval of the request for CDBG funds, Drawdown #5 (\$7,020.00) for CDBG Comprehensive Revitalization, Sidewalks Project 13-CR-008.

(f) Approve of the payment to South Central Economic Development District, Inc. for \$10,012.00 (Invoice #519) for grant administration services for CDBG Comprehensive Revitalization, Supplemental Sidewalks Project 14-CR-008.

(g) Approval of the request for CDBG funds, Drawdown #4 (\$10,012.00) for CDBG Comprehensive Revitalization, Supplemental Sidewalks Project 14-CR-008.

(h) Approve of the payment to South Central Economic Development District, Inc. for \$13,000.00 (Invoice #520) for grant administration services for CDBG Comprehensive Revitalization, Supplemental Streets Project 14-CR-108.

(i) Approval of the request for CDBG funds, Drawdown #2 (\$13,000.00) for CDBG Comprehensive Revitalization, Supplemental Streets Project 14-CR-108.

(j) Approve of the payment to South Central Economic Development District, Inc. for \$1,000.00 (Invoice #517) for grant administration services for CDBG Hastings Downtown Revitalization, Project 12-DTR-107.

(k) Approval of the request for CDBG funds, Drawdown #12 (\$1,000.00) for CDBG Hastings Downtown Revitalization, Project 12-DTR-107.

5(a) Department Monthly Reports received and placed on file.

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

Absent: None. The motion carried.

Public hearing on the request of Butler Machinery Company to rezone a tract of land from Ag, Agricultural District to I-2, Heavy Industrial District, located at the southeast quadrant of the intersection of "M" Street and Highway 281.

Dave Fisher (Dunmire, Fisher, and Hastings), 1131 North Saint Joseph Avenue, appeared to speak in favor, on behalf of Butler Machinery Company. Butler Machinery is a large machinery implement dealer headquartered in North Dakota. They are under contract to purchase land at 'M' Street and South U.S. Highway 281. The first thing the company must do is rezone the property so that it would be suitable for their use. He requested support for the zoning change.

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. 4466. . .AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA AS PROVIDED IN SECTION 34-105 OF THE OFFICIAL HASTINGS CITY CODE; TO REZONE THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM AG, AGRICULTURAL DISTRICT TO I-2, HEAVY INDUSTRIAL DISTRICT, TO REPEAL ANY ORDINANCES 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 Duval.

The Mayor then stated the question “Shall Ordinance No. 4466 be passed and adopted?” Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: None. The motion passed.

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 YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: 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 December 18, 2015. Effective date of the ordinance is December 30, 2015.

Public hearing on the request of Evangelical Lutheran Good Samaritan Society for a Conditional Use Permit to develop group housing for senior citizens on property zoned R-3, Multiple Family Residential District, located at 901-1117 East “C” Street.

Paul Hamelink (Senior Living Administrator at Good Samaritan Society), 213 North Lincoln, appeared to speak in favor. Good Samaritan Society is constructing 48 units of senior housing in triplexes on land on the northern part of the campus.

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.

RESOLUTION NO. 2015-37

Moved by Niemeyer seconded by Hoops to pass and approve Resolution 2015-37. . .Recommending approval of the Conditional Use Permit for Good Samaritan-Hastings Village to develop group housing for senior citizens in an R-3, Multiple Family Residential District. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: None. The motion carried.

Moved by Goebel, seconded by Skutnik for the approval of Airport Improvement Program (AIP) Project No. SA 2016 Contract with Kirkham Michael & Associates, Inc., Omaha, Nebraska, for engineering design of T-hanger at the Hastings Airport in the amount of \$49,419.52. Roll Call: Ayes: Harrington,

Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: None. The motion carried.

Moved by Skutnik, seconded by Duval for approval of awarding contract for Project No. AUD-2015-15011-C, Hastings City Auditorium Interior Renovation.

Joe Patterson asked the Council to table action on the auditorium. He explained that bids were opened on the project and a meeting was held with the architects on Friday. Staff had a meeting with the apparent low bidder this morning. The budgeted amount for the project is \$1.5 million and the low bidder came in above \$2 million. Staff is working to set priorities and get the project trimmed down to the budgeted amount. It may necessitate, with the tight timeline to complete the project, that we have a Special Council meeting a week from tonight to award the auditorium bid and one other bid that is time sensitive.

Moved by Odom, seconded by Goebel to table awarding contract for Project No. AUD-2015-15011-C, Hastings City Auditorium Interior Renovation.

Second withdrawn by Goebel and motion withdrawn by Odom for awarding contract for Project No. AUD-2015-15011-C, Hastings City Auditorium Interior Renovation.

Councilmember Niemeyer asked why we don't reject all the bids. If we are redefining the scope of the project, it is only fair that all bidders get to rebid the project.

Councilmember Odom asked if there is a possibility to raise the extra money within community to keep the total project. Tabling would give us the opportunity to talk about it prior to the meeting next week.

Joe Patterson clarified that State Statutes allow us to negotiate with the apparent low bidder to reduce the scope of the project, therefore reducing the cost. If we aren't successful to the satisfaction of the Council with negotiation, we might rebid. The auditorium has rentals starting July 15, 2016. The City has already asked for one extension on the grant.

Councilmember Niemeyer stated that the three bids were very close. When we change the scope of the whole project, out of fairness we should rebid.

Councilmember Duval asked if staff would be able to work on negotiations prior to next week's Special Council meeting or what vote is expected to be made at that meeting?

Joe Patterson stated that if staff is successful in reducing the scope of the project down to fitting within the budget, then they would come to Council with a recommendation for approval for the portion of the project that could be funded and built. The options at this time are: negotiate with the low bidder and try to find a way to get the project done on a current timeframe or reject all bids and have the architect reduce the scope of the project and redo the plans and specifications. The Council needs to instruct staff as to which option they choose.

Councilmember Duval asked if we decide to reject all three bids, what is the new timeline?

Joe Patterson stated that rejecting all bids would probably delay the project by six weeks to two months. The consultant would need to redraw plans, and we might not be able to do all we want to do.

Mayor Powers commented that we might need to rebid to make the bids more competitive because of contractor strengths. If substantial changes are made to the project scope, he wants to reject all three bids and rebid the project.

Joe Patterson stated that staff will come back at the Special Council meeting and let Council know what was negotiated and let you make a determination at that time.

Moved by Odom, seconded by Goebel to table awarding contract for Project No. AUD-2015-15011-C, Hastings City Auditorium Interior Renovation. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: None. The motion carried.

Moved by Odom, seconded by Niemeyer to meet next Monday (December 21st) at 5:30 P.M. for a Special Council meeting. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: None. The motion carried.

Moved by Harrington, seconded by Skutnik for the approval of the Professional Services Agreement with South Central Economic Development District for grant administration services for CDBG Comprehensive Revitalization Phase III, Streets Project 15-CR-008 in amount not to exceed \$18,741.00.

Dave Wacker stated this is the third year in the existing grant. This project has already been selected by the Council. We will repave Garfield from A Street to E Street and also D Street from Baltimore to Garfield. This project is a match, so it is approximately \$360,000 estimate. There will be approximately \$187,000 CDBG funds available. For administration cost, State is allowing SCEDD 10% of contract. This will be on the One and Six Year Plan, presented to the Council in early 2016 for approval.

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

Moved by Harrington, seconded by Hoops for the approval of awarding contract to Henn Signs, 405 W. 15th Road, Phillips, Nebraska, in the amount of \$58,469.61 for Project No. MUSMB-2015, Hastings Museum Electronic LED Sign. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. Absent: None. The motion carried.

ORDINANCE NO. 4463. . .REPEALING ORDINANCE NO. 4460 VACATING LOTS 1 -7, BLOCK 1, EASTRIDGE MEADOWS 1st ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, IN ITS ENTIRETY; REPEALING INCONSISTENT PROVISIONS; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

Dave Ptak, City Attorney, stated the property was replatted rather than needing to be vacated. The plat was filed before the ordinance took effect. We are repealing the ordinance.

The Mayor then stated the question "Shall Ordinance No. 4463 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: None. The motion passed.

Councilmember Krings 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 YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: 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 December 18, 2015. Effective date of the ordinance is December 30, 2015.

ORDINANCE NO. 4464. . . CREATING A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF HASTINGS TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2016-2; DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN. (*Fox Run Street, Mallard Way Avenue & Dovetail Circle in Lochland Meadows Subdivision Number 10*)

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 “Shall Ordinance No. 4464 be passed and adopted?” Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: None. The motion passed.

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 YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: 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 December 18, 2015. Effective date of the ordinance is December 30, 2015.

ORDINANCE NO. 4465. . . VACATING THAT PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS SOUTH ST. JOSEPH AVENUE (80 FEET WIDE) BETWEEN BLOCKS 12 AND 13 FROM THE NORTH LINE (EXTENDED) OF THE ALLEY IN BLOCK 12 NORTH TO AND INCLUDING THE INTERSECTION OF WEST "A" STREET, ALL IN SAINT JOSEPH ADDITION, CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, SUBJECT TO THE CITY OF HASTINGS RETAINING A UTILITY AND ACCESS EASEMENT ON THE EAST HALF (40 FEET) THEREOF FOR THE CONSTRUCTION AND MAINTAINING OF ANY EXISTING OR FUTURE WATER, SEWER, GAS, COMMUNICATION AND/OR ELECTRIC SERVICE MAINS OR LINES LOCATED ON, OVER OR UNDER SAID EASEMENT; AND TO PROVIDE A DATE 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 Odom.

Lance Lang, City Planner, stated this is a request to vacate 80 feet wide public right-of-way for part of South Saint Joseph. Extending from West ‘A’ Street (vacated recently) down south to the midblock alley. There are plans to extend utilities through the street right-of-way, so we want to retain the east 40 feet of right-of-way. An easement will be retained for future utilities.

The Mayor then stated the question “Shall Ordinance No. 4465 be passed and adopted?” Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: None. The motion passed.

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. Absent: 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 December 18, 2015. Effective date of the ordinance is December 30, 2015.

ORDINANCE NO. 4467. . .AMENDING THE FOLLOWING SECTIONS OF THE OFFICIAL CITY CODE OF THE CITY OF HASTINGS: SECTION 3-108 TO PROVIDE DEFINITIONS OF FULL-TIME EMPLOYEES, PART-TIME EMPLOYEES, SEASONAL EMPLOYEES, AND VETERANS; SECTION 3-202 REGARDING THE POWERS AND DUTIES OF THE PERSONNEL/CIVIL SERVICE COMMISSION REGARDING VETERANS PREFERENCES; SECTION 3-404 DEALING WITH EMPLOYEES BENEFITS; SECTION 3-405 DEALING WITH VACATION LEAVE; SECTION 3-406 DEALING WITH MEDICAL LEAVE; SECTION 3-407 DEALING WITH HOLIDAYS; SECTION 3-408 DEALING WITH JURY DUTY; SECTION 3-409 DEALING WITH MILITARY LEAVE; AND SECTION 3-410 DEALING WITH HEALTH INSURANCE; TO REPEAL ANY PROVISIONS OF THE CITY CODE INCONSISTENT 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 Odom moved for passage of the ordinance, which motion was seconded by Councilmember Harrington.

The Mayor then stated the question "Shall Ordinance No. 4467 be passed and adopted?" Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: None. The motion passed.

Councilmember Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilmember Hoops 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. Absent: 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 December 18, 2015. Effective date of the ordinance is December 30, 2015.

ORDINANCE NO. 4468. . .AMENDING THE SECTIONS 2-701, 2-702, 2-703, AND 2-704 OF THE OFFICIAL HASTINGS CITY CODE DEALING WITH CHANGES TO THE AIRPORT ADVISORY BOARD; TO REPEAL ANY ORDINANCES 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 Goebel.

Joe Patterson stated the Council recently held a worksession at the airport. A presentation was done by interested citizens. Staff met with representatives and this resulted in the ordinance before the Council.

The Mayor then stated the question “Shall Ordinance No. 4468 be passed and adopted?” Upon roll call vote the following Councilmembers voted YEA: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel No: None. Absent: None. The motion passed.

Councilmember Niemeyer moved that the statutory rule requiring reading on three different days be suspended; Councilmember Skutnik 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. Absent: 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 December 18, 2015. Effective date of the ordinance is December 30, 2015.

RESOLUTION NO. 2015-38

Moved by Niemeyer seconded by Duval to pass and approve Resolution 2015-38. . . Adopting Construction Management Policy for the City under the Nebraska Political Subdivisions Construction Alternatives Act to allow the use of the design-build construction method for the City construction projects.

Dave Ptak, stated the Legislature passed this Alternative Construction Act that allows two different methods, rather than the standard bidding process that we have used for years on contracts. This allows a design build and also do a construction management. This is an alternative, not mandatory. The City can decide on a project by project basis. Without a policy in place, you cannot use it.

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

RESOLUTION NO. 2015-39

Moved by Skutnik seconded by Niemeyer to pass and approve Resolution 2015-39. . . Supporting the furthering of Fair Housing by participating and coordinating educational programs targeting: local realtors, area developers, regional and local banks, and local and regional mortgage lending institutions.

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

Moved by Krings, seconded by Niemeyer that the Mayor and Council go into Executive Session at 6:05 P.M. for real estate negotiations and litigation. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Krings, seconded by Niemeyer that the Mayor and Council go out of Executive Session into Regular Session at 7:52 P.M. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

Moved by Krings, seconded by Niemeyer there being no further business to come before the Council, the meeting adjourned at 7:52 P.M. Roll Call: Ayes: Harrington, Duval, Odom, Niemeyer, Krings, Hoops, Skutnik, Goebel. Nays: None. The motion carried.

APPROVED:

Vern P. Powers, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)