CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, May 9, 2016

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 9, 2016.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Powers with the following members present: Ginny Skutnik, John Harrington, Sarah Hoops, Michael Krings, Everett Goebel, Kathy Duval, Phil Odom, Chuck Niemeyer. Absent: None.

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

Moved by Skutnik seconded by Hoops to adopt current agenda for May 9, 2016 Regular Meeting. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett 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.

COUNCIL COMMUNICATION:
Councilmember Goebel urged citizens to vote tomorrow.

Councilmember Niemeyer gave a brief report on the committee formed at the last City Council meeting. The first meeting they discussed what they wanted to accomplish. The second meeting two of the representatives, Councilmember Sarah Hoops and Board of Public Works member Jeanette Dewalt, interviewed both Human Resource employees (Lori Hartman and Kim Woolery). Staff have similar challenges and felt that a combined effort in Human Resource(HR) would be beneficial. They are waiting to see how Ordinance 4473 goes to know how to proceed.

Councilmember Duval thanked City Staff who went beyond what was necessary this past week to help a citizen in need.

CITIZEN COMMUNICATIONS:
Dennis Muller (303 Meadowlark Circle), spoke on Ordinance 4773.
Butch Hughes (714 West 5th Street) spoke against Ordinance 4773.
Jeanette Dewalt (747 North Lincoln Avenue, Board of Public Works) stated she would answer questions regarding Ordinance 4773.

MAYOR'S COMMUNICATIONS:
Mayor Powers presented the Emergency Medical Services Proclamation to Kent Gilbert, Fire Chief. Mayor Powers proclaimed the week of May 15-21, 2016, as Emergency Medical Services Week with the theme "EMS Strong-Called to Care". Kent Gilbert spoke on behalf of first responders.

Mayor Powers read Employee Service Awards for May: Steve Walton, 35 years as of May 1st; Stu Mohlman, 30 years as of May 12th; Dave Wacker, 40 years as of May 26th; Brian Kranau, 20 years as of May 6th; Elmo Ayer, 35 years as of May 11th.

Mayor Powers thanked NTV for their series highlighting positive things happening in Hastings.

<u>CONSENT AGENDA:</u>
Motion by Skutnik, seconded by Goebel to approve all consent items as presented.
1.(a) Approval of the minutes of the Council Meeting of April 25, 2016
(b) Approval of the minutes of the Worksession of April 18, 2016
(c) Approval of the payroll for the period ending May 7, 2016, paid May 13, 2016.
(d) Approval of the regular claims and authorizing the City Clerk to issue checks against the various funds for payment.
(e) Approval of the prepaid claims and authorizing the City Clerk to issues checks against the various funds for payment.
(f) Approval of the request of the Hastings Lodge No. 50 to utilize city streets for the Annual Veterans Recognition Parade to be held at 10:00 a.m. on November 5, 2016.
(g) Approval of the request for CDBG funds, Drawdown #4 and Final ($5,560) for CDBG Comprehensive Revitalization, Supplemental Streets Project 14-CR-108.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

REGULAR AGENDA:
1. Unfinished Business of Preceding Meeting.
(a) ORDINANCE NO. 4473. . .AMENDING SECTION 2-501, REPEALING SECTIONS 2-520 TO 2-526, ENACTING A NEW SECTION 2-529, AND AMENDING SECTION 32-109 OF THE HASTINGS CITY CODE DEALING WITH DEPARTMENT HEADS, DUTIES OF THE MANAGER OF UTILITIES, AND BOARD OF PUBLIC WORKS.

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

Councilmember Niemeyer stated it is in the best interest of the city to have an independent board that the Manager of Utilities answers to. The governance should stay the same. There needs to be more consideration to the type of person on the Board of Public Works because of the workload and complexity of things coming in the future. A big share of what the Novak Study deals with is Human Resource, IT, Safety and the Director of Administrative Services.

Councilmember Goebel understands Ordinance 4473 would make the Manager of Utilities a Department Head. Utilities would be a City Department and if Resolution 2016-19 also passes, hiring the manager would be done by a committee appointed by the Mayor and hiring would be approved by City Council. This would not change the make-up of the Board of Public Works and would not take away any authority they have now to carry out the operations of the Utilities. This ordinance would not affect the library or museum boards. He received public concern about the Utilities budget, but management of Utilities funds would not change in any way. He asked that the vacancy on the Board of Public Works be filled as quickly as possible.

Councilmember Harrington stated this ordinance makes us a more efficient, united city. All cities in Nebraska face tremendous energy challenges, and the majority of which do not have a Board of Public Works. We are not eliminating the board, but are putting it in an advisory capacity that is very valuable. We are not doing this to raid the Utilities to get money for other use.

Dave Ptak explained the bond covenants, which deal with the largest debt that Utilities has with electrical generation facilities at the Whelan Energy Center. The amount that can be transferred to the City is limited by those bond covenants, currently the greater of 5% or what the APPA

(American Public Power Association) average would be, based upon an annual study that is done by the APPA. The idea behind the thought of taking money from Utilities with the water situation they will be dealing with, as well as other services, they need all the money they have. As a result, that is a misnomer to say that the intent behind the reorganization is to take any money.

Mayor Powers stated we need to make sure our utilities for the long-term future, and that is paying debt, getting ourselves in a position where we aren't in trouble when coal plants are decommissioned and we have to take them down.

Councilmember Duval stated we cannot take away the Board of Public Works' functions and we need their expertise. We need to be selective in looking at unique skills needed to serve on the board to bring specific knowledge. This ordinance alters who hires and fires.

Mayor Powers stated we need consideration to make this a paid board.

Jeanette Dewalt, Board of Public Works, asked for clarification on legally what the ordinance changes.

Dave Ptak stated the Hastings Public Library and the Museum are not under the direction of the City Administrator, they are exempted. They would report to their various boards. All Department Heads are appointed by the Mayor and Council. This creates an organizational structure so that we know who the Department Heads are and the process for hiring them includes members of the Council and members of any affected board that would interact with that position, potentially members of the public or recruiters. The idea is we want the best possible candidate for any Department Head position and we want the input of those who work most closely with them. The only thing changed in the process is allowing the Manager of Utilities, as a Department Head, to employ persons in their various departments. We are not treating Utilities any different from any other department in that regard.

Councilmember Hoops stated Chapter 2 allows for a structure for administrative adjustments, which would allow us to have permission to combine Human Resource, IT, and Safety. It is her understanding that Chapter 32 compliments the resolution from Board of Public Works regarding hiring committee. It creates greater consistency with other boards. The Board of Public Works would retain the power to obtain special services, make rules and regulations, purchase materials and equipment, and approve plans as it had before.

Councilmember Krings sees the move for the hiring process completely fine. He wants to make sure the Board of Public Works maintains its current responsibilities.

Dave Ptak stated the only thing this changes is right now the Board of Public Works is the authority to hire and discharge the Utilities Manager. This is now being transferred, as a Department Head, to the Mayor and Council. It is in conjunction with the resolution that has been spoke of, to set up a hiring process for all Department Heads. It would be a consistent process that would involve Council, board members, citizens, and possibly recruiters to find the best candidate for the position. The committee would interview and make a recommendation, which would be brought to the City Council for approval.

Councilmember Krings stated a concern of his is the Mayor and City Council shall be the appointing authority to employ or discharge a Manager of Utilities. Does that position really report to the Board of Public Works?

Jeanette Dewalt stated there could be a conflict for the new Utilities Manager by trying to keep two bosses happy. We need to know who the Utilities Manager is working for before going out to hire that position.

Councilmember Odom believes this is a major change in what we are doing. This clearly says the Utilities Manager would work for the City Administrator. His concern is where it talks about being subject to approval from the City Council. Five votes on the Council can fix it where everything has to come before the Council first. We have two departments of Human Resources, but neither is listed in the Department Heads. That is one of the departments that should be put together into one department. The Board of Public Works is different from the other boards, because of the size of their budget.

Joe Patterson stated that we do not have any Human Resource Director position. We have a Personnel Technician. She takes daily direction from him. Any personnel action required for that position would take action by the Civil Service Commission, in addition to his office.

Councilmember Niemeyer stated that we need to combine Human Resource, IT, and Safety through the Director of Administrative Services in a unified effort. That item was a priority in the Novak Study.

Councilmember Duval stated we need to listen to our attorney. If we pass the resolution of using the committee, the Mayor and the City Council shall employ or discharge, she assumes it is based upon committee recommendation. The answer of who does this position answer to? They answer to the City: Mayor and City Council. Utilities is a City department. It is a change in thinking that makes sense. We have checks and balances in place not to have five members decide to get rid of somebody.

Councilmember Krings stated we have an item later on the agenda to ratify the resolution by the Board of Public Works to change the hiring of the Utilities Manager. If this was denied, we can still make movement on the hiring of the Manager later.

Dave Ptak stated you can ratify the resolution from the Board of Public Works, but their resolution says for approval by the Mayor and Council. Chapter 32-109 provides specifically that the Board of Public Works is hereby empowered as the appointing authority to employ or discharge the Manager of Utilities and the Assistant Manager of Utilities. The Mayor and Council have no say in employing or discharging the Manager of the Utilities, as it is currently written. In order for that resolution to have any meaning, there has to be an appointing authority. If the Mayor and Council are going to approve it, you need to change 32-109 to allow you to have that authority.

Michael Krings made a motion to amend Ordinance 4473, Section 32-109, paragraph 1, removing the word "discharge" from that ordinance. Councilmember Niemeyer seconded the motion.

Dave Ptak offered a suggestion before the discussion to leave the term discharge in, but add after discharge for your consideration "upon the recommendation of the Board of Public Works".

Councilmember Niemeyer withdrew his second, Councilmember Krings withdrew his motion.

Councilmember Krings stated that he didn’t have a problem with the language as suggested by Mr. Ptak.

Councilmember Skutnik stated we don't want to employ with the recommendation of the board, because it will be a committee giving the recommendation to employ. It is just the discharge that you want the board's recommendation.

Councilmember Krings was trying to get to employment, which is also who they work for hire.

Councilmember Krings is concerned that the current ordinance would allow a political body that doesn't act on behalf of the Board of Public Works, to run-off a Utilities Manager

Councilmember Krings made the motion to amend Chapter 32-109, Section 1, "The Mayor and City Council shall be the appointing authority to hire the manager of Utilities and Assistant Manager of Utilities. Mayor and City Council shall have the authority to discharge the Manager of Utilities and the Assistant Manager of Utilities, based upon a recommendation by the Board of Public Works. These positions are further subject to approval of the Mayor and City Council in respect to job classification and compensation ranges. Councilmember Niemeyer seconded the motion.

Councilmember Harrington thinks that qualification is unnecessary. To give authority to hire from one person and fire from another is counter-productive. He recommended that we do not consider.

Councilmember Skutnik called for the question on the amended motion.

ROLL CALL: Ayes: Phil Odom, Chuck Niemeyer, Michael Krings. Nayes: John Harrington, Kathy Duval, Ginny Skutnik, Everett Goebel Abstain: Sarah Hoops The motion failed.

Councilmember Skutnik called for the question on the original motion on the first reading of Ordinance 4473.

The Mayor then stated the question "Shall Ordinance No. 4473 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Ginny Skutnik, Everett Goebel, Sarah Hoops Nayes: Phil Odom, Chuck Niemeyer, Michael Krings. Absent: None. The motion carried.

Councilmember Harrington 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 Ayes: John Harrington, Kathy Duval, Ginny Skutnik Nays: Phil Odom, Chuck Niemeyer, Michael Krings. Sarah Hoops, Everett Goebel. Absent: None. The motion failed.

2. Public Hearings.
(a) Public hearing on the request of Indicator Land & Cattle, LLC to rezone property from District R-1S, Single Family Suburban Acreage Residential District to District R-1A, Single Family Large Lot Residential District.

Daniel Pauley, 800 West 3rd Street, Dunmire, Fisher and Hastings Law, spoke in favor.
No one stood to speak against, or either way.
Clerk received no objections.

ORDINANCE NO. 4474. . .AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA TO REZONE THE FOLLOWING PROPERTY AS SHOWN ON THE ATTACHED EXHIBIT "A" FROM "R-1S, SINGLE-FAMILY SUBURBAN RESIDENTIAL DISTRICT" TO "R-1A, SINGLE-FAMILY LARGE LOT RESIDENTIAL DISTRICT"

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

Lance Lang, City Planner, explained that R1A and R1S are both rural residential districts that are mainly in the two-mile on the outskirts of the city. R1S is suburban acreage (1.5 acre minimum lot size) and R1A is large lot (20,000 sq.ft.). The R1A allows for livestock. The owner would like the ability to have livestock.

The Mayor then stated the question “Shall Ordinance No. 4474 be passed and adopted?” Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel.
Nays: None. Absent: None. The motion carried.

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 Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel.
Nays: 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 May 13, 2016. Effective date of the ordinance is May 25, 2016.

(b) Public hearing on the request of Mesner Development Company to rezone property from CP-3 Commercial District Planned District to RP-3, Multiple Family Planned District.

No one stood to speak.
Clerk received no objections.

ORDINANCE NO. 4475. . .AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA TO REZONE THE FOLLOWING PROPERTY:
THE WEST 125.00 FEET OF LOTS 1-11, BLOCK 1, L.B. PALMERS 2ND ADDITION, AND THE WEST 125.00 FEET OF LOTS 1-12, BLOCK 1, POEHLERS ADDITION, CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND THAT PORTION OF THE VACATED WEST 13TH STREET LYING BETWEEN BLOCK 1, L.B. PALMERS 2ND ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND BLOCK 1, POEHLERS ADDITION TO THE CITY OF HASTINGS, NEBRASKA;
FROM “CP-3, PLANNED COMMERCIAL BUSINESS DISTRICT” TO “RP-3, PLANNED MULTIPLE FAMILY RESIDENTIAL DISTRICT”

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

The Mayor then stated the question “Shall Ordinance No. 4475 be passed and adopted?” Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel.
Nays: None. Absent: None. The motion carried.

Councilmember Krings 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 Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel.
Nays: 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 May 13, 2016. Effective date of the ordinance is May 25, 2016.

(c) ORDINANCE NO. 4476. . . APPROVAL OF PLANS DEPICTING THE SITE LAYOUT, BUILDING STYLE AND MATERIALS, LANDSCAPING, UTILITIES AND INFRASTRUCTURE, PARKING AND ACCESS, SITE DRAINAGE AND SIMILAR DEVELOPMENT ATTRIBUTES FOR THE FOLLOWING DESCRIBED PROPERTY:
WEST 125 Feet OF Lots 1 through 11, Block 1, L.B. Palmers 2nd Addition to the City of Hastings, Adams County, Nebraska;

WEST 125 FEET Lots 1 through 12, Block 1, Poehlers Addition to the City of Hastings, Adams County, Nebraska; and

WEST 125 FEET OF That portion of the vacated West 13th Street lying between Block 1, L.B. Palmers 2nd Addition to the City of Hastings, Adams County, Nebraska, and Block 1, Poehlers Addition to the City of Hastings, Nebraska;

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

The Mayor then stated the question "Shall Ordinance No. 4476 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel.
Nays: None. Absent: None. The motion carried.

Councilmember Hoops 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 Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel.
Nays: 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 May 13, 2016. Effective date of the ordinance is May 25, 2016.

(d) Public hearing on the request of Diecker Enterprises for a Conditional Use Permit to allow ship-to-shore storage containers to be used for self-storage.

Cara Thorp,1606 Apache Avenue, appeared to speak either way.

No one spoke for or against.
Clerk received no objections.

Moved by Niemeyer seconded by Harrington to approve Resolution No. 2016-14…Conditional Use Permit for Diecker Enterprises to allow ship-to-shore storage containers to be used for self-storage, subject to compliance with all conditions attached and made a part of the permit.

Lance Lang stated the resolution lays out several conditions for the storage units to be used. Landscaping was discussed at the Planning Commission, but water is not available. The Planning Commission left it up to staff for what would be appropriate. Keeping plants alive would be the obligation of the owner.

Lance Lang stated the self-storage part of the code was used to come up with parameters.

Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

(e) Public hearing on the request of Faith Lutheran Church for a Conditional Use Permit for additional parking at 837 Chestnut Avenue.

Eileen Saathoff, Faith Lutheran Church Member, spoke in favor.
No one spoke against or either way.
Clerk received no objections.

Moved by Krings seconded by Hoops to approve Resolution No. 2016-16. . .Conditional Use Permit for Faith Lutheran Church for additional parking at 837 Chestnut Avenue, subject to compliance with the conditions attached and made a part of the permit.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

(f) Public hearing regarding a proposed modification to Plan Modification #3.15.16 to Redevelopment Area I (THOAR, LLC Redevelopment Project) of the Community Redevelopment Authority to include façade, sidewalk and landscape improvements. (713 West 1st Street)

No one stood to speak on this item.
Clerk received no objections.

Moved by Niemeyer seconded by Skutnik to approve Resolution No. 2016-17. . . Redevelopment Plan Modification #3.15.16 for the THOAR LLC Redevelopment Project in Redevelopment Area I to include façade, sidewalk and landscape improvements.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

(g) Public hearing regarding proposed Plan Modification #6 to Redevelopment Area #IV-Hastings West (On Top, LLC Redevelopment Project) of the Community Redevelopment Authority to include relocation of water main and drain lines for a proposed industrial development featuring two 3,750 square foot shop buildings. (1903 West 2nd Street)

No one stood to speak on this item.
Clerk received no objections.

Moved by Harrington seconded by Niemeyer to approve Resolution No. 2016-18. . .

Redevelopment Plan Modification #6 for the ON TOP, LLC Redevelopment Project in Redevelopment Area IV.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

(h) Public hearing on the request of Oasis Church, Inc. for a Conditional Use Permit to allow a church at 3001 West 12th Street (Imperial Mall).

Pastor Castle, Oasis Church, stood to speak.
No one spoke against.
Clerk received no objections.

Moved by Niemeyer seconded by Duval to approve Resolution 2016-15...Conditional Use Permit for Oasis Church, Inc. to allow a church at 3001 West 12th Street, subject to the following conditions:
1. Oasis Church is responsible for gaining all required permissions and any property rental or lease agreements with the Owners and/or management company operating Imperial Mall to allow the church to occupy the mall space. Other than any required building inspections performed by the City of Hastings Development Services Department for Oasis Church to obtain a Certificate of Occupancy, if any such inspection is required, The City shall be neutral, neither assisting nor protesting the ability of Oasis Church to obtain permission to locate in Imperial Mall.
2. At such time as the congregation of Oasis Church numbers fifty (50) persons, the on-site bathroom must be upgraded to meet the ADA requirements of the Americans' with Disabilities Act within ninety (90) days.
3. This permit shall be automatically renewed annually upon receipt by the City of a written request for renewal including the current number of congregation members for the given year.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

3. General Business.
(a) Moved by Duval seconded by Hoops to approve consideration regarding possible hiring of a City of Hastings Developmental Services Director.

Councilmember Duval asked if this could be an item for the worksession?

Councilmember Odom stated all positions potentially being added to the budget need to be discussed at a worksession.

Councilmember Skutnik stated that the Developmental Services Director is a vacant position, already funded in the budget.

Mayor Powers said the possible hiring of a Developmental Services Director will be on a future worksession.

(b) Moved by Harrington seconded by Skutnik to approve allowing Mayor and Council to change hiring parameters from Hastings Utilities control to Mayor and Council control in regards to Hastings Utilities Manager hiring process.

Councilmember Krings stated agenda items 3B, 3C, and 3E are all the same thing. We need to cleanup and clarify what we are going to do.

David Ptak clarified that General Business 3B is basically Ordinance 4473 that passed on first reading. Item 3C, allowing the Mayor to appoint a committee, is basically the Board of Public Works resolution, but it was formalized as Resolution No. 2016-19. If that would be adopted, it would encompass the same thing. He agrees that unless we do 3B first, 3C does not give the Mayor and Council any authority to approve the recommendation.

A discussion was held on how the adoption of Ordinance 4473 would affect General Business Items 3B and 3C.

Councilmember Odom stated Ordinance 4473 takes care of Item 3B. We are giving permission for the Mayor to put together the committee.

Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

(c) Moved by Odom seconded by Niemeyer to approve allowing the Mayor to appoint a committee to do a Hastings Utilities Manager search. Committee to consist of the Mayor and two Council members, two Hastings Utilities Board members and three to five City of Hastings Community members. Search firm may be employed in this process. Committee to begin work immediately. Committee will bring finalist recommendation back to Council for final approval.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

(d) Consideration regarding possible hiring of an Assistant City Administrator.

The Council requested this item be put on a future worksession.

(e) Moved by Skutnik seconded by Hoops to approve Ratifying the Board of Public Works Resolution No. 2016-3 regarding the selection process for the Manager of Utilities.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

(f) Moved by Goebel seconded by Skutnik to award bid to Vontz Paving Inc., 2355 West HWY 6, Hastings, Nebraska for project R-2016-A1, Wabash Avenue (US #6) "J" Street to Idlewilde Avenue in the amounts of $101,855.58 Base Bid and $128,004.05 Alternate Bid for a total amount of $229,859.63 and authorize the Mayor and the City Clerk to execute contract documents.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

4. Ordinances and Resolutions.
(a) Moved by Niemeyer seconded by Harrington to amend Resolution No. 2016-13. . .Entering into an Interlocal Cooperation Act Agreement with Adams County, Nebraska for the improvement of Baltimore Avenue, under Project R-2016-A1, and authorizing the Mayor to sign said Interlocal Cooperation Act Agreement on behalf of the City of Hastings, Nebraska to state the location as Wabash, in place of Baltimore.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

Moved by Skutnik, seconded by Hoops to approve Resolution No. 2016-13, as amended.
Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

(b) Moved by Hoops seconded by Duval to adopt Resolution 2016-19. . .Providing for a hiring policy and procedure for City department heads.

Councilmember Harrington asked what the current procedure is to hire Department Heads?

Joe Patterson stated the City advertises those open positions nationally, utilizing periodicals on the particular discipline. The Mayor appoints a committee. The Mayor brings the committee's recommendation to the Council for approval.

Councilmember Harrington asked how is this procedure different?

Joe Patterson stated it is not much different.

Mayor Powers stated there were community members involved in recent committees.

Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

Moved by Niemeyer seconded by Skutnik there being no further business to adjourn at 7:40p.m. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: None. The motion carried.

APPROVED:

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Vern P. Powers, Mayor

ATTEST:

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Kimberly S. Jacobitz, City Clerk

(S E A L)