CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, May 23, 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 23, 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, Michael Krings, Chuck Niemeyer, Everett Goebel, Sarah Hoops, Kathy Duval, John Harrington, Phil Odom.

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

Moved by Ginny Skutnik seconded by John Harrington to adopt current agenda for May 23, 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 - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, May 20, 2016. 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 stated Grand Island Police were out at MPH racetrack for driver training school this week. He said in this month's utility bill was the annual water quality report which is required to be made public each year showing levels of contaminants. He indicated the report stated that no violations occurred during the calendar year 2015. He told Council PPGA owns Whelan Energy Center II and is working on a bond purchase agreement that would refund $136 million with the anticipated savings to PPGA of $26 million and since Hastings Utilities is one of the five partners, their share of the savings is $4.16 million and that will affect every ratepayer in the City.

Councilmember Duval spoke regarding the Chautauqua that is coming up. She indicated this is a free event with a concert, ice cream social, chance to meet professors who are acting in the Chautauqua, symposiums, and the opportunity for students to learn about citizens of Hastings. She thanked the Library and the Parks and Recreation Department for all their help with this event.

CITIZEN COMMUNICATIONS:

Chuck Shoemaker, 815 West Second Street, #200, spoke on Ordinance No. 4473 regarding the Hastings Utilities Board of Public Works and indicated he had sent some remarks to Council and would like to formally submit them for the record. (Attached and made part of original minutes.)

Willis Hunt, 616 Madden Road, spoke in support of Ordinance No. 4473 regarding the Hastings Utilities Board of Public Works and asked to formally submit his written comments for the record. (Attached and made part of original minutes.)

MAYOR'S COMMUNICATIONS:

Mayor Powers thanked all who ran for public office.

CONSENT AGENDA:

Moved by Chuck Niemeyer seconded by Ginny Skutnik that the following items on the Consent Agenda be approved:
(a) Approval of the minutes of the Council Meeting of May 9, 2016.
(b) Approval of the payroll for the period ending May 21, 2016, paid May 27, 2016 and the period ending June 4, 2016, paid June 10, 2016.
(c) Approval of the regular claims and authorizing the City Clerk to issue checks against the various funds for payment.
(d) Approve receiving and placing on file department monthly reports.
(e) Approval of the request of the American Legion Riders of Hastings Post 11 to utilize city streets on June 18, 2016 for a parade to recognize all military veterans and families and also a re-dedication of the Hastings American Legion Park.
(f) Approval of the request of the YWCA of Adams County to close city streets for annual 4th of July Parade Celebration on July 4, 2016.
(g) Approval of the request of Burlington Village for two handicap parking spaces on the southwest corner of the building located at 220 South Burlington and West "A" Street for SASA.
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:

Public Hearing pursuant to Neb. Rev. Stat. 18-2528 (4) on the Redevelopment Agreement regarding the City Block Project for downtown Hastings.

Sheana Smith, 1025 N. Lincoln Avenue, representing Adams County Convention and Visitors Bureau, spoke in favor of the Redevelopment Agreement.

Andrew Willis, Cline Williams Law Firm, 233 South 13th Street, Lincoln, Nebraska, spoke in favor of the Redevelopment Agreement.

Gary Johnson, 3524 Laredo Lane, Hastings College Vice President of Academic Affairs, spoke in favor of the Redevelopment Agreement.

No one spoke in opposition.

The City Clerk's Office advised that no written objections had been received.

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

Moved by Ginny Skutnik seconded by Everett Goebel to approve Telecommunications Line Right-of-Way License Agreement with Glenwood Telecommunications for Werner, 2nd Street and Pine Avenue (GW 2016-9). 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 John Harrington seconded by Sarah Hoops to approve awarding contract to Vontz Paving, 2355 West Highway 6, Hastings, Nebraska, 68901 for Projects R-2016 R1 through R5 in the total amount of $633,574.48 and authorize the Mayor and the City Clerk to execute contract documents.

Dave Wacker, City Engineer, stated these are some of the residential resurfacing projects that are outlined in the One & Six Year Street Plan. He stated that two bids were received with the work beginning in early July.

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.

ORDINANCE NO. 4473. . .AMENDING SECTION 2-501 OF THE OFFICIAL CITY CODE OF THE CITY OF HASTINGS DEALING WITH DEPARTMENT HEADS; TO REPEAL SECTIONS 2-520, 2-521, 2-522, 2-523, 2-524, 2-525, AND 2-526 OF THE OFFICIAL CITY CODE OF THE CITY OF HASTINGS, NEBRASKA; TO ADD A SECTION 2-529 TO THE OFFICIAL CITY CODE OF THE CITY OF HASTINGS TO PROVIDE FOR THE DUTIES OF THE MANAGER OF UTILITIES; TO AMEND SECTION 32-109 OF THE OFFICIAL CITY CODE OF THE CITY OF HASTINGS, NEBRASKA; TO PROVIDE THAT ANY ORDINANCES OR PROVISIONS INCONSISTENT HEREWITH ARE HEREBY REPEALLED; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE AND TO PROVIDE FOR THE PULICATION OF THIS ORDINANCE IN PAMPHLET FORM.

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

Councilmember Harrington stated he supported the ordinance and that he felt it was a step in the right direction, a small step but a necessary step towards a more effective and proficient representative government. He urged everyone to vote for it.

Councilmember Goebel proposed an amendment by addition of the following underlined text:

2-501. Department heads

(1) The following positions under the control of the Mayor and City Council, <u>except as provided in city code 2-503 where Manager of Utilities, Museum Director and Library Director are under the direction of their respective boards,</u> are hereby created and confirmed:

He stated he didn't think it changed anything the ordinance was set up to do but felt it added some clarity to it. He indicated that there was some confusion on whether this ordinance makes the three boards into advisory boards and he felt the amendment clarifies the status of the Museum Board, Library Board and Board of Public Works.

Moved by Everett Goebel seconded by Phil Odom to approve amendment.

Councilmember Duval asked for more clarification on the amendment.

Councilmember Goebel stated that in talking with the City Attorney, he felt that 2-503 leaves the directors working under their boards and he wasn't sure everyone was clear about that being the case.

Councilmember Duval questioned directors working under their boards. She questioned if this would impact the committee they had at the last meeting agreed to bring together.

Councilmember Goebel stated that he wanted it clear that the Board of Public Works is an operating board and not an advisory board and the manager of Hastings Utilities does work for the Board of Public Works.

Councilmember Duval stated that her concern is the hiring and terminating of directors or managers. She indicated that ultimately the Mayor and Council are responsible for these positions.

Councilmember Hoops stated that she liked the amendment and liked that it points to the 2-503 area of the code that talks about the duties and responsibilities of the City Administrator which she felt still allowed them to use the recommendations in the Novak Study in the future to coordinate safety, IT and human resources.

Mr. Ptak stated that it would not change the hiring committee resolution.

Councilmember Odom stated that the purpose of the amendment is to clarify, not change anything and felt it was a good opportunity to clear up what we have.

Councilmember Krings stated he also sees it as a clarification and didn't believe this amendment has any affect on the hiring and/or discharging of the utilities director. He indicated that his amendment will be on discharging.

Councilmember Harrington stated he felt it is redundant.

Councilmember Duval asked if the amendment really changes anything.

Mr. Ptak said the amendment simply reiterates what is already in 2-503. He stated it doesn't change anything, it is a clarification.

Councilmember Duval question if the amendment addresses the recommendations of the Novak Study and felt they were still at the same place they were months ago. She stated that they spent a lot of money for an organization assessment of our City and things have been done in various departments but anything that required direction from the Mayor or City Council hasn't been done. She stated that it bothered her that we haven't moved forward.

Councilmember Niemeyer stated that he wouldn't agree that the Council hasn't done anything for months. He indicated that initially it takes a while to digest the information in the Novak Study. When it comes the Board of Public Works and the vast amount of responsibility they have with the five different utility functions, to take only a month or two to make changes would be hasty and they wouldn't be doing due diligence. He felt that the committee the Mayor put together would still be interested in finding ways to merge services. He said he was comfortable with the amendment in that it clarified some of the code so that it is consistent. He indicated that he felt the next amendment allowing the Board of Public Works to actually govern the manager of utilities is important and that is the way it should be run. He expressed that the Council has had plenty of tools to assert authority to affect change at Utilities. He felt it was the fault of the Council for being lax over the years and having allowed the drift apart of the Utilities and the City.

Councilmember Duval stated she knows people have been working hard on this issue but not sure we have gotten very far. She stated she felt they wanted to look at organization as a whole and how to best represent their constituents and make the City more efficient as a whole. She stated that she has received no data to indicate that by changing the role of the Board of Public Works minutely that there will be problems. She asked for some data that shows this.

Councilmember Goebel stated that he did not intend to change anything with his amendment, just clarify. He indicated they hired Novak Group and he felt like they were asking professionals or experts to come and give advice. He stated they were not hired to tell us what to do. He stated there are many ways to organize a city.

Mayor Powers stated there are some things that will be done quickly, some things will take a long time and some will never be done. He stated he hoped the community would look at it this way. He said there is a disconnect between Hastings Utilities and the City and somehow it needs to be addressed without it being taken personally.

Councilmember Goebel stated that in the Novak Study each item had a possible time frame for implementation and the one they are discussing now had a time frame of 24-48 months.

Councilmember Odom called for the question on the amendment.

Moved by Phil Odom seconded by Ginny Skutnik to call for the question on the amendment. 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.

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

Councilmember Goebel proposed an amendment by addition of the following underlined text and striking of the word "first":

32-109. Employees; powers generally; purchases.

(7) All equipment purchased, projects, extensions, and the like, for which competitive bids are required by state law, the acceptance of these bids shall ~~first~~ be approved by the Mayor and City Council.

Moved by Everett Goebel seconded by Michael Krings to approve amendment.

Mr. Ptak suggested changing the word "acceptance" to "award" because that is what they would be doing.

Councilmembers Goebel and Krings agreed to change the word "acceptance" to "award" in their motion and second.

Vote on amendment. 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.

Councilmember Krings proposed the following amendment by addition of the following underlined text and deletion of the struck text:

32-109. Employees; powers generally; purchases.

(1) The Mayor and City Council shall be the appointing authority to ~~employ and discharge~~ hire ~~a~~

the Manager of Utilities and ~~an~~ Assistant Manager of Utilities. The Mayor and City Council shall have the authority to discharge the Manager of Utilities and Assistant Manager of Utilities based on a recommendation of the Board of Public Works. These positions are further subject to the approval of the Mayor and City Council in respect to job classification and compensation ranges.

Moved by Michael Krings seconded by Sarah Hoops to approve amendment.

Councilmember Krings stated this was the same amendment he proposed two weeks ago. He stated his intent is to address the issue of the discharge of the manager. He said he felt his amendment helped to create some insulation between the manager of utilities and the political body. He stated this would allow the City Council and the Board of Public Works to work in cooperation.

Councilmember Harrington stated he spoke against this amendment two weeks ago and does so again. He said this is a tough issue, everyone wants the best for Hastings. He stated he has respect for all Councilmembers but is dismayed how fearful we are of changing the status quo. He said that the assumption was that there was no better way of doing things. Mr. Harrington passed out an organizational chart for the City of Grand Island. He reminded Council that different cities can run differently and be very successful. He told Council they need to admit that things can be done better. He urged Council to envision how things could be better. He stated he felt the amendment was a step backwards and felt it was important to reassert the Council's authority over the new utility manager. He felt this amendment gave veto power to a non-elected board over a body of elected officials. He said they are not eliminating the Board but reasserting the Council's authority that we received from the citizens as an elected body over a non-elected board. He stated he would be voting against the amendment.

Councilmember Odom stated that he appreciated the Grand Island organizational chart but agreed that one size does not fit all. He stated that he felt we are different in that we have some of the lowest utility rates in the state of Nebraska. He stated he felt the Board of Public Works has done a great job of managing not only the manager but all the employees that worked with and under that manager. He stated that the amendment as proposed allows us to work together and didn't think they were taking a step backwards. He stated he felt they were the first Council that has decided they want to take a more active role in some of the things that happen in the utility department while other councils decided not to move forward with their studies. He stated that overall, the study was a good one for the community and felt this was a good step forward realizing that it is not as far as some want to go. He felt in some cases he didn't feel they have had enough discussion. He stated he felt this is a good amendment for the ordinance.

Councilmember Duval stated she supported the amendment and felt it validates what the Board does but maintains the final responsibility which falls on the elected officials.

Councilmember Skutnik stated they need to consider that if the Mayor and Council hire and there are problems, they are stuck with what they have.

Councilmember Harrington stated that he felt it is a weak ordinance and in taking this piece out we just make it extremely sad by taking away the Council's ability to fire. He stated he would vote against the amendment.

Councilmember Duval questioned if they could discharge without a recommendation.

Councilmember Niemeyer stated if we jointly hire a manager of utilities, he couldn't see a scenario where the individual is doing such a poor job and we see it and they don't.

Councilmember Harrington questioned if the feelings of an elected official carry more weight than the Board. He stated it is fine to work together but when push comes to shove, we are the elected body and we should have that responsibility.

Councilmember Odom stated we already have that power and can control the Board by appointments. He stated the Board was established to stop political infiltration into the utility department that was not for good things. We have a Board that wants to work with Council very strongly.

Councilmember Krings stated it is the attempt to remove the political nature from the management of the Utilities. He stated he would have a problem with the Council making a decision without the recommendation of experts at Hastings Utilities. He stated that is why the Board is in place.

Councilmember Skutnik asked for clarification if this is taking away the Council authority.

Mr. Ptak indicated they would have to receive a recommendation before you would have the authority to discharge a manager.

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

Mr. Ptak indicated that with the amendments this would take Ordinance No. 4473 back to first reading.

Councilmember Hoops stated she went back to the original ordinance and was surprised they had really not been presented the information at a worksession at any point. She indicated she would be willing to postpone action until there would be a chance to sit down and go line for line with some of the proposed changes with the other boards before we go forward. She stated she would like to hear from the boards on the proposed changes and any questions they might have.

Mayor Powers stated he would like to see the ordinance move on in some way tonight.

Councilmember Skutnik questioned if this was the scaled down version of the original red lined ordinance.

It was stated that it was.

Councilmember Hoops stated that she felt there needed to be some cleanup of the code in regard to previous changes made and not updated and grammatical inconsistencies. She indicated she would like to see some of corrections made at some point. She stated she would be willing to table passing the ordinance or pass on first reading.

Mayor Power stated he would like to see this ordinance keep moving and at least pass on first reading.

Councilmember Krings agreed with the Mayor's intent and encouraged liaisons to stay in contact with boards and encouraged boards to reach out to Council and that included Library, Tree and Museum Boards. He stated they need to stay in constant communication.

Councilmember Harrington stated Ordinance No. 4473 does not do enough and stated he would be voting against it. He stated they spent $80,000 of tax money on the Novak Study and here we are saluting the status quo and essentially saying we can do no better. He stated that until they can make a more aggressive step forward toward efficiency and eliminating duplication and a more effective governance structure, he would have to vote against the ordinance.

Councilmember Krings stated that to put $80,000 on this ordinance tonight is completely irresponsible. He stated that they have done a ton of good things with regard to the Novak Study and to tie $80,000 on this ordinance in front of us today is completely irresponsible.

Councilmember Hoops spoke about what the ordinance does and hoped it is a step that will facilitate the City being an excellent employer with department heads all answering to a centralized administrative services division.

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

ORDINANCE NO. 4477. . .AMENDING SECTION 15-101 OF THE OFFICIAL CITY CODE PROVIDING A DEFINITION OF MOTOR HOME; TO AMEND SECTION 15-409 TO ADD MOTOR HOMES OVER 20 FEET IN LENGTH TO THE RESTRICTIONS PROVIDED THEREIN; TO REPEAL ANY ORDINANCES OR PROVISIONS INCONSISTENT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Said Ordinance was read by title and thereafter Councilmember Kathy Duval moved for passage of the ordinance on first reading, which motion was seconded by Councilmember Chuck Niemeyer.

Councilmember Goebel asked if this ordinance change covered travel trailers and campers.

Pete Kortum, Police Chief, stated this ordinance change keeps things consistent and makes enforcement easier.

The Mayor then stated the question “Shall Ordinance No. 4477 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. Ordinance No. 4477 passed on first reading.

Moved by John Harrington seconded by Chuck Niemeyer to pass and approve Resolution No. 2016-20. . . Accepting the work and the certificate of the City Engineer for Street Improvement District No. 2013-1. 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 Chuck Niemeyer seconded by Everett Goebel to pass and approve Resolution No. 2016-21. . . Accepting plat and schedule of assessments prepared by the City Engineer for special assessments proposed to be levied in Street Improvement District No. 2013-1 and setting a hearing date relative to the levy of said special assessments.

Mr. Wacker stated the following are Street Improvement Districts that were constructed last year. He indicated that by law the certificate of the City Engineer has to be filed with Council to accept, a hearing date is set for equalization at the next council meeting, notices will be sent to the property owners by the clerk advising of assessments to be levied, Council will convene at their next meeting as a board of equalization and hear testimony and levy assessments.

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 Chuck Niemeyer seconded by John Harrington to pass and approve Resolution No. 2016-22. . . Accepting the work and the certificate of the City Engineer for Street Improvement District No. 2013-2. 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 Everett Goebel seconded by Chuck Niemeyer to pass and approve Resolution No. 2016-23. . . Accepting plat and schedule of assessments prepared by the City Engineer for special assessments proposed to be levied in Street Improvement District No. 2013-2 and setting a hearing date relative to the levy of said special assessments. 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 Ginny Skutnik seconded by Chuck Niemeyer to pass and approve Resolution No. 2016-24. . .Accepting the work and the certificate of the City Engineer for Street Improvement District No. 2013-3. 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 Phil Odom seconded by Ginny Skutnik to pass and approve Resolution No. 2016-25. . .Accepting the plat and schedule of assessments prepared by the City Engineer for special assessments proposed to be levied in Street Improvement District No. 2013-3 and setting a hearing date relative to the levy of said special assessments. 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 Chuck Niemeyer seconded by Ginny Skutnik to pass and approve Resolution No. 2016-26. . .Authorizing the Mayor and City Clerk to sign contract(s) with IES Commercial Inc. contingent upon final approval of the Nebraska Department of Aeronautics (NDA) and the Federal Aviation Administration (FAA) for AIP Project No. 3-31-0040-14, Hastings Municipal Airport.

Mr. Wacker told Council this is a project that has been worked on for the last year for the Airport involving installing path indicator lighting, pavement marking, replacing beacon, and terminal area lighting. He stated the Council was being asked to approve this funding contingent on approvals from Nebraska Department of Aeronautics and the Federal Aviation Administration. He indicated the Council needs to pass the Resolution but won’t execute the agreement until the approvals are received.

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.

ORDINANCE NO. 4478. . .TO REPEAL ORDINANCE NO. 4406 AS NO REAL ESTATE PURCHASE AGREEMENT WAS EVER ENTERED INTO BETWEEN THE PARITIES; TO AUTHORIZE THE SALE OF CITY PROPERTY; TO PROVIDE THE TERMS OF SALE AND AUTHORIZE THE MAYOR TO EXECUTE AND DELIVER A QUIT CLAIM DEED TO THE PROPERTY; TO PROVIDE FOR A REMONSTRANCE TO SAID SALE AS PROVIDED BY LAW; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Said Ordinance was read by title and thereafter Councilmember Chuck Niemeyer moved for passage of the ordinance on first reading, which motion was seconded by Councilmember Ginny Skutnik.

David Ptak, City Attorney, asked that the ordinance only be passed on first reading due to the 30- day remonstrance period associated with the ordinance and since the redevelopment agreement cannot be adopted tonight. He asked that both the items be passed together at a subsequent meeting.

Councilmember Krings asked if an actual date needs to be set for passing the agreement.

Mr. Ptak stated it will come up at the next regular City Council meeting which is June 13, 2016.

The Mayor then stated the question “Shall Ordinance No. 4478 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. Ordinance No. 4478 passed on first reading.

Moved by Michael Krings seconded by Chuck Niemeyer there being no further business to come before the Council, the meeting be adjourned at 7:17 P.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)