

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, April 23, 2018

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 April 23, 2018.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Ginny Skutnik, Butch Eley, Scott Snell, Phil Odom, Paul Hamelink, John Harrington. Absent: Jeniffer Beahm, Sarah Hoops.

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 April 23, 2018 Regular Meeting. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Mayor Stutte 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 Hamelink reported on the Airport Advisory Board meeting. The group is moving forward with bids for a hangar door replacement, 24-hour access, FBO, and revising the Airport Layout Plan.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Stutte read the National Volunteer Week Proclamation, celebrated April 15th through April 21st. He thanked volunteers for their service. Katie Karr, Volunteer Coordinator, recognized Museum volunteers.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by Butch Eley to approve all consent items as presented.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik.

Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

(a) Approval of the minutes of the Council Meeting of April 9, 2018

(b) Approval of claims and payroll

(c) Approve receiving and placing on file department monthly reports

(d) Approval of the request of St. Cecilia Catholic Church to utilize city streets for the St. Isidore Festival on September 8, 2018

(e) Approval of the request of Alan Kruger to utilize city property for the Highland Park Farmers' Market from June 9, 2018 through October, 2018

(f) Approval of the request of Hastings College Foundation/Alumni Offices to utilize city streets for the Hastings College Legacy Jazz Band on June 8, 2018

(g) Approval of the request of the Hastings Unique Bicyclists to utilize city streets for the Kool-Aid Classic Bicycle Tour on August 11, 2018

(h) Approval of the request of the BID, Healthy Hastings and the Downtown Center Association to utilize city streets for the Downtown Market on Thursday evenings from June 21, 2018 to August 30, 2018

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

None.

4. General Business.

(a) Moved by Butch Eley seconded by Phil Odom to approve Change Order No. 1 for WEC Switchgear with Siemens Industry, Inc. Kevin Johnson, Utility Manager, gave a staff report. A contract was awarded to Siemens in 2017 for WEC1. When the proposal was drafted, no contingencies were included. The additional necessary work would have been included in a normal contingency.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik.

Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

(b) Moved by Ginny Skutnik seconded by John Harrington to approve Addendum to Capacity Purchase Agreement with City of Superior, Nebraska. Kevin Johnson stated the agreement was effective in 2017, but the City of Superior wanted to increase capacity. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4550 TO AMEND SECTION 2-503 OF THE OFFICIAL CITY CODE REGARDING THE DUTIES AND RESPONSIBILITIES OF THE CITY ADMINISTRATOR

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

Dave Ptak, City Attorney, stated this would allow the City Administrator to act in the place of a department head if the department head is absent or unavailable.

The Mayor then stated the question "Shall Ordinance No. 4550 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. 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 April 27, 2018. Effective date of the ordinance is May 9, 2018.

(b) ORDINANCE NO. 4551 VACATING THE NORTH-SOUTH ALLEY BETWEEN B AND C STREETS IN BLOCK 11 OF COLE'S FIRST ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA

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

Dave Ptak stated the vacation is at the request of property owners and would allow construction of a garage. The city would retain the utility easement over the entire alley.

The Mayor then stated the question "Shall Ordinance No. 4551 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember John Harrington seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. 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 April 27, 2018. Effective date of the ordinance is May 9, 2018.

(c) ORDINANCE NO. 4552 AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, SERIES 2018, OF THE CITY OF HASTINGS, NEBRASKA

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

Renae Jimenez, Director of Finance, stated the city received bids on projects to be covered by municipal bonds. Phil Lorenzen, DA Davidson, bond underwriter for the city spoke. He explained that bids were awarded, and over \$2 million was necessary to fund the projects. Bond counsel recommended a three year maturity.

The Mayor then stated the question "Shall Ordinance No. 4552 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Councilmember Butch Eley moved that the statutory rule requiring reading on three different days be suspended; Councilmember Scott Snell seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. 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 April 27, 2018. Effective date of the ordinance is May 9, 2018.

(d) ORDINANCE NO. 4553 TO AMEND SECTION 13-507 OF THE OFFICIAL CITY CODE REGARDING THE DATES AND HOURS OF SALE AND SETTING OFF OF FIREWORKS

Moved by Ginny Skutnik seconded by Butch Eley to approve Ordinance No. 4553 on First Reading. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Captain Hessler, Police Department, stated they receive complaints on fireworks and respond on individual merits. Dave Ptak, City Attorney, said it is a tough ordinance to enforce.

Moved by Butch Eley seconded by Ginny Skutnik to rescind the vote on first reading of Ordinance No. 4553. Roll Call: Ayes: Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: John Harrington. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Tom Towne, Marv Kohler, Bob Lyons stood to speak against. Council discussed the need to be good neighbors, having courtesy and tolerance. Vendors want to sell, but others do not like the noise.

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

The Mayor then stated the question "Shall Ordinance No. 4553 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: Paul Hamelink Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. 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 April 27, 2018. Effective date of the ordinance is May 9, 2018.

6. Final Passage of Ordinances.
None.

7. Appointments.
None.

8. Miscellaneous and Other Business.
None.

Moved by Ginny Skutnik seconded by Butch Eley to move into closed session at 6:17p.m. for reason of negotiation, litigation, and personnel. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Moved by Ginny Skutnik seconded by Butch Eley to move out of closed session at 6:59p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

Moved by Butch Eley seconded by Ginny Skutnik there being no further business to adjourn at 6:59p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm, Sarah Hoops. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)