

**HASTINGS CITY COUNCIL
WORKSESSION AGENDA**

**Second Floor Conference Room – City Hall
220 North Hastings Avenue
September 17, 2018
5:30 PM**

ROLL CALL:

MOTION TO ADOPT CURRENT AGENDA for September 17, 2018 Worksession.

PUBLIC NOTICE - Official Notice of the Worksession was published in the Hastings Tribune on Friday, September 14, 2018. Pursuant to 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 available. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

DISCUSSION ITEMS

1. Discussion of Resolution No. 2018-44 authorizing allocation from the Hastings Utility Department's 2018-19 fiscal year budget for the benefit and support of the HEDC and economic development activities.
2. Discussion of Resolution No. 2018-45 authorizing allocation from the Hastings Utility Department's 2018-19 fiscal year budget for the benefit and support of the Hastings Area Chamber of Commerce during the fiscal year 2018-19.
3. Discussion of Ordinance No. 4570 regarding weapons in city vehicles and on city property.
4. Discussion of 12th Street traffic study.
5. Closed Session for the discussion of negotiations.

ADJOURN:

The Mayor and City Council reserve the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the Mayor and City Council to take up the items on the agenda in sequential order. However, the Mayor and City Council reserve the right to take up matters in a different order to accommodate the schedules of the city council members, person having items on the agenda, and the public.

RESOLUTION NO. 2018-44

WHEREAS, Hastings Economic Development Corporation (HEDC), a not-for-profit local development corporation organized and existing under the statutes of the State of Nebraska, has been created for the purpose of encouraging immigration of new residents to the City of Hastings and Adams County, for bringing new industries to the City of Hastings and Adams County and for encouraging investment in the City of Hastings and Adams County and the business, industries and institutions located therein; and,

WHEREAS, since its creation in 1973 HEDC has successfully promoted the growth of business and industry already located in the City of Hastings and Adams County and has persuaded other companies to locate new business and industries in the City of Hastings and Adams County which have become major consumers of utility services provided by the Hastings Utility Department; and,

WHEREAS, through the economic development promoted by HEDC, the Hastings Utility Department has increased its capacity to serve ratepayers and has reduced rates for utility services without the expense of creating and funding its own economic development office; and,

WHEREAS, by virtue of prior Agreements HEDC has received funding as part of the Hastings Utility Department budget along with funding from Adams County and many private companies and individuals for the purpose of promoting the goals for which HEDC was created; and,

WHEREAS, it is in the interest of all utility ratepayers and the City of Hastings to continue support of economic development through HEDC by maintaining the financial contribution to the annual budget of HEDC; and,

WHEREAS, the City Council of the City of Hastings is authorized under the provisions of Neb. Rev. Stat. §13-315 to expend revenue received from any of its utility proprietary functions to carry out the purposes for which HEDC was created through a local development corporation such as HEDC;

THEREFORE, in consideration of the foregoing recitals and of the continued benefit of the operation of HEDC to the City of Hastings, the Mayor and City Council of the City of Hastings hereby adopt the following Resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska:

1. That the amount of \$125,000 be allocated from the Hastings Utility Department's 2018-19 fiscal year budget for the benefit and support of HEDC and its economic development activities.
2. That HEDC shall continue to exercise its best efforts to promote the purposes for which it was created and to solicit major industrial and commercial

consumers to locate businesses and plants in the City of Hastings and Adams County which will make constant use of services provided by the Hastings Utility Department;

3. That the Hastings Utility Department shall continue to cooperate with HEDC in the exchange of information which will attract qualified businesses to the City of Hastings and Adams County;
4. That HEDC shall continue to develop commercial areas having infrastructure requiring services provided by the Hastings Utility Department;
5. That HEDC shall provide an annual report to the Utility Board and the Mayor and City Council concerning economic development activities in the City of Hastings and Adams County and the use of the annual contribution from the Hastings Utility Department's annual budget, and shall provide such information each year prior to preparation of the annual budget of the Hastings Utility Department;
6. That HEDC shall support legislative positions consistent with the interests of local businesses, and the City of Hastings;
7. That HEDC in its presentations of the advantages and strengths of the City of Hastings and Adams County shall promote the Hastings Utility Department as a supporter of HEDC and its activities;
8. That, during the Fiscal Year 2018-19, HEDC shall name to its Board of Directors (2) Class A members designated by the Chairman of the Utility Board and confirmed by the Utility Board; one (1) Class B member designated by the Chairman of the Utility Board and confirmed by the Utility Board; and two (2) permanent members to the Executive Committee of HEDC as designated by the Chairman of the Utility Board and confirmed by the Utility Board;
9. That the Mayor and City Council of the City of Hastings shall continue to support the efforts of the Hastings Utility Department and HEDC to promote economic development in the City of Hastings and Adams County to achieve the goals of economic development.

PASSED AND APPROVED THIS _____ day of _____, 2018.

ATTEST:

Mayor

City Clerk

(S E A L)

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 2018-45

WHEREAS, the Hastings Area Chamber of Commerce (Chamber), a not-for-profit corporation organized and existing under the statutes of the State of Nebraska, has been created for the purpose of promoting economic development and commercial activity in the City of Hastings and Adams County and for encouraging investment in the City of Hastings and Adams County and the businesses, industries and institutions located therein; and,

WHEREAS, the Chamber has always promoted the growth of commercial activity in the City of Hastings and Adams County and has persuaded companies to locate new businesses in the City of Hastings and Adams County; and,

WHEREAS, through the promotion of commercial activity by the Chamber, the Hastings Utility Department has increased its capacity to serve ratepayers and has reduced rates for utility services without the expense of creating and funding its own economic development office; and,

WHEREAS, it is in the interest of all utility ratepayers and of the City of Hastings to continue support of economic development and of commercial activity through the Chamber; and,

WHEREAS, the City Council of the City of Hastings is authorized under the provisions of Neb. Rev. Stat. §13-315 to expend revenue received from any of its proprietary utility functions to promote economic development and to conduct a publicity campaign advertising commercial and other resources of the City;

THEREFORE, in consideration of the foregoing recitals and of the continued benefit of the activity of the Chamber to the City of Hastings, the Mayor and City Council of the City of Hastings hereby adopt the following Resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska:

1. That the amount not to exceed \$30,000 be allocated from the Hastings Utility Department's 2018-19 fiscal year budget for the benefit and support of the Chamber during fiscal year 2018-2019;
2. That the Chamber shall continue to exercise its best efforts to promote the purposes for which it was created and to promote economic development and commercial activity in the City of Hastings and Adams County which will make regular use of services provided by Hastings Utility Department;
3. That Hastings Utility Department shall continue to cooperate with the Chamber in the exchange of information which will attract qualified businesses and commercial activity to the City of Hastings and Adams County;

4. That the Chamber shall continue to develop business and commercial activities requiring services provided by Hastings Utility Department;
5. That the Chamber shall provide an annual report to the Utility Board and the Mayor and City Council concerning economic development and business and commercial activities in the City of Hastings and Adams County and concerning the use of the annual contribution from Hastings Utility Department and shall provide such information prior to preparation of the annual budget of Hastings Utility Department;
6. That the Chamber shall support legislative positions consistent with the interest of local businesses and Hastings Utility Department;
7. That the Chamber in its presentations of the advantages and strengths of the City of Hastings and of Adams County shall promote the Hastings Utility Department as a supporter of the Chamber and its activities;
8. That during Fiscal Year 2018-19 the Chamber shall name two (2) members of the Utility Board designated by the Chairman of the Utility Board and confirmed by the Utility Board to its Retail Oversight Committee;
9. That the Mayor and City Council of the City of Hastings shall continue to support the efforts of Hastings Utility Department and of the Chamber to promote economic development and business and commercial activity in the City of Hastings and in Adams County to achieve the goals of economic development and commercial activity.

PASSED AND APPROVED THIS _____ day of _____, 2018.

Mayor

ATTEST:

City Clerk

(S E A L)

APPROVED AS TO FORM:

City Attorney

ORDINANCE NO. 4570

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA TO PROHIBIT THE POSSESSION OF DEADLY WEAPONS ON CITY PROPERTY AND IN CITY VEHICLES; TO REPEAL ANY ORDINANCE OR OTHER PROVISION IN CONFLICT HERewith; TO PROVIDE AND EFFECTIVE DATE OF THIS ORDINANCE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDANINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

Section 1. That it shall be unlawful for any person to have in his or her possession any deadly weapon as defined herein on any property or in vehicles owned by the City of Hastings, Nebraska.

A. For the purpose of this section deadly weapon shall mean any firearm, knife, bludgeon, or other device, instrument, material, or substance, whether animate or inanimate, which in the manner it is used or intended to be used is capable of producing death or serious bodily injury. Included within this definition are the following:

- (1) A handgun with a barrel less than sixteen inches in length or any firearm designed to be held and fired by the use of a single hand;
- (2) A knife defined as:
 - (a) Any dagger, dirk, knife, or stiletto with a blade over three and one-half inches in length and which, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury; or
 - (b) Any other dangerous instrument which is capable of inflicting cutting, stabbing, or tearing wounds and which, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury;
- (3) Knuckles and brass or iron knuckles or other instrument that consists of finger rings or guards made of a hard substance and that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles;
- (4) A machine gun defined as any firearm, whatever its size and usual designation, that shoots automatically more than one shot, without manual reloading, by a single function of the trigger;
- (5) A rifle having a barrel less than sixteen inches long or an overall length of less than twenty-six inches; and
- (6) A shotgun having a barrel or barrels less than eighteen inches long or an overall length of less than twenty-six inches.

B. The provisions of this section shall not be held to prohibit any act or possession by law enforcement officers, members of the United States armed services, or members of the Nebraska National Guard, in the lawful discharge of their duties.

Section 2. That any ordinance or provision passed and approved prior to the passage, approval and publication or posting of this Ordinance, and in conflict with its provisions, is hereby repealed.

Section 3. That this Ordinance shall take effect and be in full force and effect from and after its passage, approval and publication in pamphlet form, said effective date being the _____ day of _____, 2018, and this Ordinance shall be included in the Official Hastings City Code Book.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this _____ day of _____, 2018.

ATTEST:

Mayor

City Clerk

(S E A L)

APPROVED TO FORM:

City Attorney