

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, August 22, 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 August 22, 2016.

The meeting was called to order at 5:30 p.m. in Regular Session by Council President Kathy Duval with the following members present: Everett Goebel, Ginny Skutnik, Chuck Niemeyer, John Harrington, Sarah Hoops, Phil Odom. Absent: Vern Powers and Michael Krings.

Council President Duval led the group in recital of the Pledge of Allegiance to the United States of America.

Moved by John Harrington seconded by Chuck Niemeyer to adopt the current agenda for August 22, 2016 Regular Meeting. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

Council President Duval read the Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, August 19, 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 reported on the recent City Council / Board of Public Works budget Worksession. He also commented that lights in Lincoln Park had been inoperative for several years, but a work order has been approved for five LED lights on new poles in the park.

CONSENT AGENDA:

Moved by Ginny Skutnik seconded by Sarah Hoops to approve all consent agenda items as presented. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

- (a) Approval of the minutes of the Council Meeting of August 8, 2016
- (b) Approval of the payroll for the period ending August 27, 2016, paid September 2, 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 Hastings Police Department to escort semi-trucks participating in the Worlds Largest Truck Convoy for Special Olympics on September 17, 2016.
- (f) Approval of the request of the Business Improvement District for closure of city streets and the parking lot at 3rd Street and Denver Avenue for Junk Street event to be held September 10, 2016.

REGULAR AGENDA:

Public Hearings.

- 2.(a) Public hearing on 2016-2017 Hastings Utilities Budget.

The following public spoke during the hearing: Jack Giddings (1134 Belleview) and Chuck Shoemaker (815 West 2nd Street). The City Clerk received no objections.

There being no other persons wishing to speak, Council President Duval declared the hearing closed.

(b) ORDINANCE NO. 4485. . ESTABLISHING FAIR AND EQUITABLE RATES FOR THE CONSUMPTION OF WATER FROM THE WATER DISTRIBUTION SYSTEM OF THE CITY OF HASTINGS.

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

Council President Duval then stated the question "Shall Ordinance No. 4485 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

Councilmember Sarah Hoops 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, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. 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, Council President Duval declared the ordinance adopted upon second and final reading and Council President Duval 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 August 26, 2016. Effective date of the ordinance is September 7, 2016.

(c) ORDINANCE NO. 4486. . ESTABLISHING FAIR AND EQUITABLE RATES FOR SANITARY SEWER USE AND FOR THE DISPOSAL OF SPECIAL WASTEWATER AND GRIT INTO THE SEWER COLLECTION AND TREATMENT SYSTEM OF THE CITY OF HASTINGS.

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

Council President Duval then stated the question "Shall Ordinance No. 4486 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

Councilmember Sarah Hoops moved that the statutory rule requiring reading on three different days be suspended; Councilmember Ginny Skutnik 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, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. 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, Council President Duval declared the ordinance adopted upon second and final reading and Council President Duval 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 August 26, 2016. Effective date of the ordinance is September 7, 2016.

(d) Moved by Phil Odom seconded by Chuck Niemeyer to approve Resolution No. 2016-40. . Authorizing the Board of Public Works of the City of Hastings to expend an amount of \$125,000 for the benefit and support of the Hastings Economic Development Corporation during fiscal year 2016-2017.

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

(e) Moved by Sarah Hoops seconded by Ginny Skutnik to approve Resolution No. 2016-41. . . Authorizing the Board of Public Works of the City of Hastings to expend an amount not to exceed \$30,000 for the benefit and support of the Hastings Area Chamber of Commerce during fiscal year 2016-2017.

Discussion was held over the financial support of the Hastings Area Chamber of Commerce, when they seem to be financially stable. This needs to be reviewed on an ongoing basis.

Councilmember Goebel stated the Chamber of Commerce expends money and brings the bill to the Board of Public Works for their approval.

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

(f) Moved by Phil Odom seconded by Everett Goebel to approve Resolution No. 2016-42 . . . Statement of the City of Hastings' intent to issue Combined System Revenue Bonds to fund capital improvements.

Councilmember Odom explained that this allows the City and the Board of Public Works to issue bonds at the proper time.

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

(g) Moved by Everett Goebel seconded by Phil Odom to Resolution No. 2016-43. . . Adopting 2016-2017 Hastings Utilities Budget.

Councilmember Skutnik thanked the Board of Public Works and staff for their work on the budget.

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

General Business.

3.(a) Moved by Ginny Skutnik seconded by Sarah Hoops to approve a Public Property Lease Agreement with USCOC Nebraska/Nebraska, LLC. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

(b) Moved by John Harrington seconded by Ginny Skutnik to approve directing the City Engineer to cause placement of bike logos designating shared Bike Lanes/Traffic Lanes on 1st Street - Lincoln Avenue to Colorado Avenue.

This recommendation came from the Complete Streets Committee. There will be stencils in traffic lanes indicating shared lanes with bikes and vehicles on 1st Street in downtown. This will connect with the hike/bike trail.

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

(c) Rescinding the Redevelopment Agreement with City Block Center Hospitality, LLC, a Nebraska limited liability company ("CBC Hospitality"), City Block Center Housing, LLC, a Nebraska limited liability company ("CBC Housing"), and City Block Center Mixed-Use, LLC, a Nebraska limited liability company ("CBC Mixed-Use")

Died for lack of motion.

(d) Moved by Chuck Niemeyer seconded by John Harrington to approve the ballot language for the November General Election referendum of Ordinance No. 4478 and the Redevelopment Agreement on the City Block Project. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

Ordinances and Resolutions.

4.(a) Ordinance No. 4487 to repeal Ordinance No. 4478 - Sale of City Block Project Property

Died for lack of motion.

Moved by John Harrington seconded by Ginny Skutnik to move into Executive Session for reason of litigation at 6:00p.m. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

Moved by Everett Goebel seconded by Ginny Skutnik to come out of Executive Session at 6:20p.m. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

Moved by Ginny Skutnik seconded by Everett Goebel there being no further business to adjourn at 6:20p.m. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Michael Krings. The motion carried.

APPROVED:

Vern P. Powers, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)