

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, September 12, 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 September 12, 2016.

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

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 the current agenda for September 12, 2016 Regular Meeting. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. 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 reported on the Board of Public Works meeting held August 31, 2016. They approved an inter-connection and purchase power agreement between Hastings Utilities and Central Community College in Hastings. Bluestem Energy Solutions will construct a wind turbine south of the college, which will enable CCC to have a commercial sized wind power lab in their renewable energy program.

Councilmember Odom asked to talk about the Highway 6 project (curve/intersection) and hike/bike trails on the south side of Hastings at the next Council Worksession.

CITIZEN COMMUNICATIONS:

Nancy Kruger, 1303 Arapahoe, spoke on dangerous pedestrian crossings.

MAYOR'S COMMUNICATIONS:

Mayor Powers recognized service anniversaries for Deborah Molzen, 15 years as of September 23rd; Thomas Russell, 35 years as of September 8th.

CONSENT AGENDA:

Moved by Phil Odom seconded by Sarah Hoops to approve all Consent Agenda items as presented.

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

1.(a) Approval of the minutes of the Council Meeting of August 22, 2016

(b) Approval of the minutes of the Worksession of August 15, 2016

(c) Approval of the minutes of the Worksession of August 16, 2016.

(d) Approval of the payroll for the period ending September 10, 2016, paid September 16, 2016.

(e) Approval of the regular claims and authorizing the City Clerk to issue checks against the various funds for payment.

(f) Approval of the prepaid claims and authorizing the City Clerk to issues checks against the various funds for payment.

(g) Approve receiving and placing on file department monthly reports.

(h) Approval of the request of Hawthorne Elementary School to use City streets for Hawthorne School Fun Run/Walk on October 21, 2016.

(i) Approval of the request of Hastings Area Church Women United to use City streets for a CROP Walk on October 9, 2016.

(j) Approval of the request of Hastings College to utilize City streets for the Melody Round-Up Parade at 10:30 A.M. on October 8, 2016.

(k) Approval of the application of Midtowne Mart, LLC for a Special Designated License at the Colonial Gardens Event Center on October 8, 2016.

(l) Approval of the request for CDBG funds, Drawdown #3 (\$89,675.93) for CDBG Comprehensive Revitalization, Streets Project 15-CR-008.

(m) Approval of pay estimate #2 from Vontz Paving (\$153,576.64) for work completed to date on CDBG Project 15-CR-008, Hastings Comprehensive Revitalization.

REGULAR AGENDA:

Public Hearings.

2.(a) Public hearing on the application of Steeple Brewing Co., LLC dba "Steeple Brewing & Wave Pizza" for a Class "CK" Liquor License at 713-717 West First Street.

Thomas Kluver (717 West 1st Street, Steeple Brewing) spoke in support. City Clerk received no objections. There being no other persons wishing to speak, Mayor Powers declared the hearing closed.

Moved by Ginny Skutnik seconded by Everett Goebel to approve Resolution No. 2016-45. . . Approving the application of Steeple Brewing Co., LLC dba "Steeple Brewing & Wave Pizza" for a Class "CK" Liquor License at 713-717 West First Street. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(b) Moved by Sarah Hoops seconded by Ginny Skutnik to approve the manager application of Thomas S. Kluver in connection with the Class "CK" Liquor License of Steeple Brewing Co, LLC dba "Steeple Brewing & Wave Pizza" located at 713-717 West First Street. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(c) Public hearing on the application of Steeple Brewing Co., LLC dba "Steeple Brewing & Wave Pizza" for a Class "LK" Liquor License at 713-717 West First Street.

No public comment. City Clerk received no objections. Mayor Powers declared the hearing closed.

Moved by Ginny Skutnik seconded by John Harrington to approve Resolution No. 2016-49. . . Approving the application of Steeple Brewing Co., LLC dba "Steeple Brewing & Wave Pizza" for a Class "LK" Liquor License at 713-717 West First Street. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(d) Moved by Michael Krings seconded by Sarah Hoops to approve the manager application of Thomas S. Kluver in connection with the Class "LK" Liquor License of Steeple Brewing Co, LLC dba "Steeple Brewing & Wave Pizza" located at 713-717 West First Street. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(e) Moved by Michael Krings seconded by Ginny Skutnik to approve Resolution 2016-51... authorizing levy authority for the Community Redevelopment Authority. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(f) Public hearing setting property tax levies.

No public comment. City Clerk received no objections. Mayor Powers declared the hearing closed.

Moved by Everett Goebel seconded by Ginny Skutnik to approve Resolution No. 2016-46...Setting property tax levies. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(g) Public hearing on the proposed 2016-2017 Annual Budget for the City of Hastings.

No public comment. City Clerk received no objections. Mayor Powers declared the hearing closed.

ORDINANCE NO. 4493. . .ANNUAL APPROPRIATION BILL FOR THE CITY OF HASTINGS ADOPTING APPROPRIATE SUMS FOR THE NECESSARY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR 2016-2017.

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

The Mayor then stated the question "Shall Ordinance No. 4493 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

Councilmember Everett Goebel 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, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. 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 September 16, 2016. Effective date of the ordinance is September 28, 2016.

(h) Moved by John Harrington seconded by Ginny Skutnik to approve Resolution No. 2016-47... Authorizing a 1% increase in Restricted Funds Budget Authority. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(i) Moved by Ginny Skutnik seconded by Kathy Duval to approve Resolution No. 2016-48...Annual Fee Resolution. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(j) Public hearing on the request of Hastings Utilities for a Conditional Use Permit to allow the operation of a Public Utility Plant for water treatment.

Al Meyer, Hastings Utilities, spoke on the continuation of the Aquifer Storage and Restoration (ASR) Project. This is the next step of implementation of the reverse osmosis water treatment plant to assist with treatment of nitrates.

No public comment. City Clerk received no objections. Mayor Powers declared the hearing closed.

Moved by Phil Odom seconded by Ginny Skutnik to approve Resolution No. 2016-44. . .Conditional Use Permit for the Hastings Utilities Water Treatment Plant as presented. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(k) Public hearing on the request of the City of Hastings to amend the Future Land Use Map of the City of Hastings Comprehensive Development Plan.

Mark Evans, Building Inspector, spoke on the Lyman Richie Subdivision.

No public comment. City Clerk received no objections. Mayor Powers declared the hearing closed.

ORDINANCE NO. 4488. .AMENDING THE COMPREHENSIVE LAND USE PLAN FOR 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 Sarah Hoops.

Discussion was held regarding the future land use plan and buffer zones between commercial, industrial, and housing. Concern was voiced for long range planning and coordination for utilities.

Joe Patterson, City Administrator, stated the City of Hastings is due in approximately one year for a comp plan, which is done about every 10 years.

The Mayor then stated the question "Shall Ordinance No. 4488 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Sarah Hoops seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. 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 September 16, 2016. Effective date of the ordinance is September 28, 2016.

(I) Public hearing on the request of the City of Hastings to rezone property from AG, Agricultural District to I-2, Heavy Industrial District.

No public comment. City Clerk received no objections. Mayor Powers declared the hearing closed.

ORDINANCE NO. 4489. .AMENDING THE ZONING DISTRICT MAP TO REZONE PROPERTY FROM AG, AGRICULTURAL DISTRICT TO I-2, HEAVY INDUSTRIAL DISTRICT.

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

The Mayor then stated the question "Shall Ordinance No. 4489 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. 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, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. 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 September 16, 2016. Effective date of the ordinance is September 28, 2016.

(m) Moved by Sarah Hoops seconded by Ginny Skutnik to table the Final Plat for Lyman-Richey Subdivision as presented.

Dave Ptak, City Attorney, explained staff is working with Adams County and Tallgrass Gas on a few issues.

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

(n) Public hearing on the request of David & Patty Bruntz to rezone property from AG, Agriculture District to R-1A, Single Family Large Lot Residential District.

David Bruntz spoke in support. City Clerk received no objections. There being no other persons wishing to speak, Mayor Powers declared the hearing closed.

ORDINANCE NO. 4492. .AMENDING THE ZONING DISTRICT MAP TO REZONE PROPERTY FROM AG, AGRICULTURAL DISTRICT TO R-1A, SINGLE FAMILY LARGE LOT RESIDENTIAL DISTRICT.

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

The Mayor then stated the question "Shall Ordinance No. 4492 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Sarah Hoops seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. 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 September 16, 2016. Effective date of the ordinance is September 28, 2016.

(o) Moved by Everett Goebel seconded by Ginny Skutnik to approve the final plat of Bruntz Subdivision. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

General Business.

3.(a) Moved by Ginny Skutnik seconded by Sarah Hoops to approve the amendment to the City of Hastings, Nebraska Retirement Plan. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(b) Moved by John Harrington seconded by Kathy Duval to approve the contract with Clark Enersen Partners for architectural/engineering services for the Hastings Police Department Building Envelope Improvements and authorize the Mayor and the City Clerk to execute the contract documents. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(c) Moved by Ginny Skutnik seconded by Sarah Hoops to approve directing the City Engineer to designate "No Parking" zones on the following streets within Industrial Park West: "G" Street West, Centennial Avenue, "I" Street, Summit Avenue, Park West Drive.

A covenant for no parking on streets was in place when this industrial area was developed. People are now parking on these streets and it has become necessary to place 'No Parking' signs.

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

(d) Moved by Phil Odom seconded by Michael Krings to direct the City Engineer to cause placement of "No Parking Zones" as appropriate along curve of Ash Avenue intersection with 9th Street; placement of "No Parking Zones" as appropriate along the curve of 9th Street and Elm Avenue intersection and designate Loading/Unloading zone along easterly portion of curve for drop off. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

(e) Moved by Everett Goebel seconded by Phil Odom to approve landscape plan on the east side of St. Joseph Avenue right-of-way from 1st Street north to alley and administrative agreement with Dutton-Lainson Company for maintenance.

The landscape plan will include a statue centerpiece from the Community Redevelopment Authority and maintenance for the landscape will be provided by Dutton-Lainson.

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

(f) Moved by John Harrington seconded by Ginny Skutnik to approve contract amendment between the City of Hastings and the Nebraska Department of Economic Development extending the CDBG Downtown Revitalization Project 12-DTR-107 end date to September 30, 2016. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

Moved by Ginny Skutnik seconded by Michael Krings there being no further business to adjourn at 6:19p.m. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Michael Krings, Sarah Hoops, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Chuck Niemeyer. The motion carried.

APPROVED:

Vern P. Powers, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)