

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, October 24, 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 October 24, 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, Phil Odom, John Harrington, Michael Krings. Absent: Sarah Hoops.

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

Moved by Chuck Niemeyer seconded by Ginny Skutnik to adopt the Current Agenda for October 24, 2016 Regular Meeting. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Sarah Hoops. The motion carried.

Council President Duval 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 encouraged registered voters to vote November 8th.

Councilmember Odom reported on the recent Board of Public Works meeting. The main topic of the meeting was WEC1 (Whelan Energy Center) was down for regular scheduled maintenance, but is now back in operation. On October 14th WEC2 (Whelan Energy Center) was taken down for regular scheduled maintenance. This outage is planned for thirty days.

CITIZEN COMMUNICATIONS:

Presentation of Heartland Pet Connection Annual Report by Jennie Theesen. The total number of animals serviced for Hastings was 595: 280 cats, 305 dogs, 4 rabbits, 1 chicken, 2 ferrets, 1 horse, and 2 ducks.

Marvin Hughes, 714 West 5th Street, spoke on rescinding the Redevelopment Agreement.

MAYOR'S COMMUNICATIONS:

Joe Patterson announced the City's Electrical Inspector, Lewis Seberg, passed away October 19th. He served the City of Hastings for the past six years.

CONSENT AGENDA:

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

- (a) Approval of the minutes of the Council Meeting of October 10, 2016.
- (b) Approval of the payroll for the period ending October 22, 2016, paid October 28, 2016 and the payroll ending November 5, 2016, paid November 11, 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 Addendum to Lottery Operator's Agreement to add the Reno Sports Bar as an additional location.
- (f) Approval of the application of Midtowne Mart, LLC for a Special Designated License at the City Auditorium on November 18, 2016.
- (g) Approval of the request for CDBG funds, Drawdown #16 (\$29,209.66) for CDBG Downtown Revitalization Project 12-DTR-107, First Street Brewery (\$50,000.00) and Parking Lot (\$1,009.77).
- (h) Approval of the application of Juan Rena Lazo dba "El Tropico" for a Special Designated License at the Adams County Fairgrounds on November 19, 2016.

REGULAR AGENDA:

General Business.

3.(a) Moved by Ginny Skutnik seconded by Michael Krings to rescind the Redevelopment Agreement dated June 13, 2016 with City Block Center Hospitality, L.L.C., City Block Center Housing, L.L.C., and City Block Center Mixed-Use, L.L.C. regarding the City Block project.

Dave Ptak, City Attorney, stated this item was placed on the agenda at the request of the redeveloper. The Redevelopment Agreement had a number of contingencies that had to be lifted before the agreement would have legal effect. Since those contingencies were not lifted, the agreement could not go forward legally.

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

Ordinances and Resolutions.

4.(a) ORDINANCE NO. 4487 TO REPEAL ORDINANCE NO. 4478 WHICH AUTHORIZED THE SALE OF CITY PROPERTY

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

Dave Ptak, City Attorney, stated this repeal only affects the one party the property was to be sold to. It is not a vote in regards to anything else other than the sale of the property to the three LLC's that were initiated by the redeveloper. This does not stop any future projects in downtown Hastings in the city block. Each one would be looked at separately.

Council President Duval then stated the question "Shall Ordinance No. 4487 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Sarah Hoops. The motion carried.

Councilmember Chuck Niemeyer 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, Michael Krings, Ginny Skutnik, Everett Goebel. Nays: None. Absent: 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 October 28, 2016. Effective date of the ordinance is November 9, 2016.

Moved by Everett Goebel seconded by Phil Odom to go into Executive Session for litigation at 5:50p.m. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Sarah Hoops. The motion carried.

Moved by Michael Krings seconded by John Harrington to go out of Executive Session at 6:10p.m. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Sarah Hoops. The motion carried.

Moved by Michael Krings seconded by Chuck Niemeyer there being no further business to adjourn at 6:10 PM. Roll Call: Ayes: John Harrington, Kathy Duval, Phil Odom, Chuck Niemeyer, Michael Krings, Ginny Skutnik, Everett Goebel. Nays: None. Absent: Sarah Hoops. The motion carried.

APPROVED:

Vern P. Powers, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)