

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, April 10, 2017

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 10, 2017.

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

The Mayor led the group in recital of the Pledge of Allegiance to the United States of America.

Moved by Ginny Skutnik seconded by Butch Eley to adopt current agenda for April 10, 2017 Regular Meeting. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. 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 Odom reported on the Board of Public Works meeting held March 30th. Ribbon cutting for the wind turbine was held March 31st. WEC Unit 1 started a two week planned outage on March 31st. WEC 2 will start its maintenance after WEC Unit 1 is online. The board approved the Transmission Assessment Services agreement with Nebraska Public Power.

Councilmember Hamelink thanked the Police Department for their public service to Good Samaritan Village, assisting with dog licenses onsite. The Airport Association met at the Alma airport, as they have done significant upgrades in recent years.

CITIZEN COMMUNICATIONS:

Public speaking on Ordinance 4473: Francis Kuhlman(714 W 5th St); Marvin Hughes(714 W 5th St); Bob Wilson(Flowserve); Donna Dill(810 Waynoka St); George Hasley(9 Village Dr); Pat Mertens(504 S.Shore); Doug Ourada(1123 Sumner St); Jodie Johnson(620 N.Shore); Chuck Shoemaker(815 W 2nd St); Jeff Kully(1503 Heritage Dr); Jeanette Dewalt(747 N Lincoln Ave); Willis Hunt(616 Madden Rd); David Lovekin(520 Forest Blvd); Charles Wagner(403 W 13th, Juniata); Scott Barwick (3401 Yost Ave).

City Clerk read Kathy Duval's letter into the record.

MAYOR'S COMMUNICATIONS:

Mayor Stutte introduced Don Threewitt, Development Services Director.

Mayor Stutte recognized service anniversaries for the following employees: Allen Sedlak-35 years; Garret Larsen-10 years; Jason Vorderstrasse-20 years; Blake Gibson-5 years; Sue Zarek-15 years.

CONSENT AGENDA:

1. All Consent Items.

Moved by Ginny Skutnik seconded by John Harrington to approve consent agenda items as presented. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

(a) Approval of the minutes of the Council Meeting of March 27, 2017.

(b) Approval of the minutes of the Worksession of March 20, 2017.

(c) Approval of the payroll for the period ending April 8, 2017, paid April 14, 2017.

- (d) Approval of the regular claims and authorizing the City Clerk to issue checks against the various funds for payment.
- (e) Approval of the prepaid claims and authorizing the City Clerk to issues checks against the various funds for payment.
- (f) Approve receiving and placing on file department monthly reports.
- (g) Approval of the request of the YWCA of Adams County to close city streets for annual YWCA 4th of July Parade on July 4, 2017.
- (h) Approval of the request of Hastings Chamber of Commerce - Wellforce Committee to utilize city streets for the Active After Hours Walk-Run on June 8, 2017.
- (i) Approval of the manager application of Jay Gates in connection with the Class "I" Liquor License of Applebee's Neighborhood Grill & Bar located at 2303 Osborne Drive West.

REGULAR AGENDA:

3. Public Hearings.

(a) Public hearing on the request of Joan Shaw for a Conditional Use Permit for a bed and breakfast at 751 North Lincoln Avenue. Mark Evans, Building Inspector, gave a staff report. Staff and Planning Commission recommended denial, due to the lack of parking. The resolution being considered addresses parking. Staff recommends approval if two off-street parking spaces are added. Joan Shaw (Owner) spoke in favor. Jeanette Dewalt (747 N.Lincoln Ave) spoke regarding importance of off-street parking. Genie Rewerts spoke in favor.

Moved by Paul Hamelink seconded by Phil Odom to approve Resolution No. 2017-12. . . Conditional Use Permit for Joan Shaw to operate a Bed and Breakfast located at 751 North Lincoln Avenue, with conditions as listed. Dave Ptak, City Attorney, stated that off-street parking would be exclusively for guests, per city code. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

(b) Public hearing on the request of John Volkmer to rezone property located at 1265 South Marian Road from I-1 Light Industrial to C-3 Commercial Business. Mark Evans, Building Inspector, gave a staff report. No public testimony was given.

ORDINANCE NO. 4504. . .AMENDING THE ZONING DISTRICT MAP TO REZONE PROPERTY LOCATED AT 1265 SOUTH MARIAN ROAD FROM I-1 LIGHT INDUSTRIAL TO C-3 COMMERCIAL BUSINESS.

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.

The Mayor then stated the question "Shall Ordinance No. 4504 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

Councilmember Paul Hamelink 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, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. 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 14, 2017. Effective date of the ordinance is April 26, 2017.

(c) Public hearing on the application of BPOE Lodge 159 dba "Hastings Elks Lodge" for a Catering Liquor License at 3050 E. South Street. No public testimony given.

Moved by Ginny Skutnik seconded by Butch Eley to approve Resolution No. 2017-14. . .Approving the application of BPOE Lodge 159 dba "Hastings Elks Lodge" for a Catering Liquor License at 3050 E. South Street. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

4. General Business.

(a) Moved by Phil Odom seconded by Scott Snell to award contract for asphalt resurfacing project R-2017 Arterial to: Werner Construction Company, 129 East 2nd Street, Hastings, in the amount of \$546,901.93. Dave Wacker, City Engineer, gave staff report. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

(b) Moved by Butch Eley seconded by Ginny Skutnik to approve the award of contract to Siemens, Wendell, North Carolina, for replacement of WEC1 5 KV switchgear and 480 V SUS in the amount of \$1,978,605. Al Meyer, Hastings Utilities Interim Director, gave a report. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

5. Ordinances and Resolutions.

(a) Moved by Scott Snell seconded by Phil Odom to approve Resolution No. 2017-13...Adopting and approving the execution of an agreement with the Department of Aeronautics of the State of Nebraska to obtain state funds under the program for the development of a hangar at the Hastings Municipal Airport. Dave Wacker, City Engineer, gave staff report. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

(b) ORDINANCE NO. 4503. . .VACATING EAST "B" STREET FROM THE EAST RIGHT-OF-WAY LINE OF SOUTH 2ND AVENUE EAST TO THE WEST RIGHT-OF-WAY LINE OF SOUTH 5TH AVENUE.

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

Mark Evans, Building Inspector, gave a staff report.

Councilmember Hamelink recused himself on this issue, as he is the applicant on behalf of his employer, Good Samaritan Village.

Paul Hamelink (Speaking as Senior Living Administrator-Good Samaritan Village) answered questions from council. The project considered on Highway 6 will not be affected, as this property is a grassy ditch portion, not a street.

The Mayor then stated the question "Shall Ordinance No. 4503 be passed and adopted?" Upon roll call vote the following Councilmembers voted Ayes: John Harrington, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

Councilmember John Harrington 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, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. 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 14, 2017. Effective date of the ordinance is April 26, 2017.

(c) ORDINANCE NO. 4473. . . TO AMEND SECTIONS REGARDING CITY DEPARTMENT HEADS, DUTIES OF THE CITY ADMINISTRATOR, REPEAL UNNECESSARY SECTIONS, AND TO AMEND CHAPTER 32, ARTICLE 1 REGARDING THE BOARD OF PUBLIC WORKS. (SECOND READING)

Moved by Butch Eley seconded by John Harrington to approve Ordinance No. 4473...to amend sections regarding City Department Heads, duties of the City Administrator, repeal unnecessary section, and to amend Chapter 32, Article 1 regarding the Board of Public Works on second reading only.

Councilmembers discussed efficiency of processes and duplication of services, including Information Technology, Engineering, Finance, and Human Resource departments. The organizational structure of the city was discussed. Concerns were voiced on EPA and NDEQ trying to take advantage of the finances of the city when unified. Mr. Pat explained that Hastings Utilities is considered a component unit of the city. As a component unit, it requires a separate audit for the proprietary side of the budget as compared to the taxpayer side of the budget. He also explained rules of salary comparability, which apply to all public employees. Mr. Ptak reviewed the PPGA (Public Power Generation Agency) agreement, which was executed between the City of Hastings and the PPGA. This agreement provides for termination only in two cases: non-compliance or insolvency of the operating agent. The process of setting utility rates was discussed. Comments were given regarding operational versus advisory authority of the Board of Public Works. A letter from Councilmember Beahm was read into the record by the City Clerk.

Roll Call: Ayes: John Harrington, Paul Hamelink, Butch Eley, Sarah Hoops, Ginny Skutnik.
Nays: Phil Odom, Scott Snell. Absent: Jeniffer Beahm. The motion carried.

Moved by Ginny Skutnik seconded by Sarah Hoops there being no further business to adjourn meeting at 7:10p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik. Nays: None. Absent: Jeniffer Beahm. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)