

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, September 25, 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 September 25, 2017.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Jeniffer Beahm, Ginny Skutnik, Sarah Hoops, Butch Eley, Scott Snell, Paul Hamelink, John Harrington, Phil Odom. Absent: None.

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

Moved by Butch Eley seconded by Sarah Hoops to adopt current agenda for September 25, 2017 Regular meeting. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. 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 Hamelink reported on the tour of antique cars held last week in Hastings. He reported on the Airport Advisory Board meeting. The airport hangar construction is going well and should be completed in November. Deb Bergmann, Engineering Department, is working on a Request for Proposals (RFP) for a Fixed-Base Operator (FBO) at the airport.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked the Committee for Hastings Future for working on the sales tax issue.

Mayor Stutte recognized Keith Napier, Planning Commission, for his 20+ years of service. Keith will be retiring from the Planning Commission.

CONSENT AGENDA:

1. All Consent Items.

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

(a) Approval of the minutes of the Council Meeting of September 11, 2017

(b) Approval of claims and payroll

(c) Approve receiving and placing on file department monthly reports

(d) Approval of Work Order SW-324

(e) Approval of Work Order PL-690

(f) Approval of the request of Hastings College to utilize city streets for the Eileen's Cookie Dash on September 30, 2017

(g) Receive and place on file Adams County Clerk's abstract of votes cast at September 12, 2017 Special Election

REGULAR AGENDA:

3. Public Hearings.

(a) Public hearing on Downtown Revitalization Community Development Block Grant application. Lori Ferguson, South Central Economic Development District (SCEDD) stood to speak. No public testimony was given. Clerk received no objections.

Moved by Ginny Skutnik seconded by Butch Eley to approve comments made at the public hearing.
Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Public hearing on Community Development Block Grant Reuse Fund Loan to Pacha Soap Company. Andrew Vrbas, Pacha Soap Co., stood to speak in support. No other public testimony was given. Clerk received no objections.

Moved by Ginny Skutnik seconded by Scott Snell to approve comments made at the public hearing.
Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

4. General Business.

(a) Moved by Scott Snell seconded by John Harrington to authorize the Mayor to execute documents necessary to obtain and maintain a letter of credit from Great Western Bank in the amount of \$2,784,460 to satisfy the Performance Guarantee obligations related to the Hastings Groundwater Contamination Site.

Joe Patterson, City Administrator, stated this is an annual requirement from the Environmental Protection Agency (EPA). This is required to ensure the city remains solvent to make payments to the EPA, as necessary. The amount is a maximum obligation, not a payment amount.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Moved by Phil Odom seconded by Butch Eley to approve the Transmission Operating Agreement with Omaha Public Power District.

Al Meyer, Interim Hastings Utility Manager, stated this meets regulatory requirements for the North American Electric Reliability Corporation (NERC) in a cost-effective manner.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Moved by Sarah Hoops seconded by Butch Eley to deny the request to increase fence height at 308 West 12th Street.

Don Threewitt, Development Services Director, stated property owner is allowed to increase fence height, but not to a privacy-type fence. They would be allowed to build a four-foot fence, limited to a picket-style fence. Restrictions in vision of traffic and pedestrian safety were discussed. Staff does not recommend approval.

Property Owners (Jacob Theil and Michaela Wissing) 308 West 12th Street stood to speak in support of the increased fence height.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

5. Ordinances and Resolutions.

(a) ORDINANCE NO. 4525 TO IMPOSE AN ADDITIONAL 1/2 OF 1% SALES AND USE TAX ON TRANSACTIONS WITHIN THE CITY OF HASTINGS TO BE EFFECTIVE APRIL 1, 2018 FOR A PERIOD OF TEN (10) YEARS.

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

The Mayor then stated the question "Shall Ordinance No. 4525 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, Jeniffer Beahm. Nays: None. Absent: None. The motion carried. Councilmember Ginny Skutnik moved that the statutory rule requiring reading on three different days be suspended; Councilmember Scott Snell 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, Jeniffer Beahm. Nays: None. Absent: None. 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 29, 2017. Effective date of the ordinance is October 11, 2017.

(b) Moved by John Harrington seconded by Paul Hamelink to approve Resolution No 2017-38 accepting the work and the certificate of the City Engineer for Alley Improvement District No. 2013-1.

Dave Wacker, City Engineer, gave a staff report. This action is the initial step in assessment of cost to property owners.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(c) Moved by Ginny Skutnik seconded by Sarah Hoops to approve Resolution No 2017-39 accepting the work and the certificate of the City Engineer for Street Improvement District No. 2016-2.

Dave Wacker, City Engineer, gave a staff report. This project is developer driven and cost will be assessed.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

7. Appointments.

(a) Moved by Phil Odom seconded by Scott Snell to approve Appointments to Boards and Commissions as follows:

Board of Adjustment

Tom Krueger, 7-1-17 to 7-1-20, Reappointment

Civil Service Comm.

Dave Fisher, 7-1-17 to 7-1-22, Reappointment

Lee Wigert, 7-1-17 to 7-1-22, Reappointment

Electrical Exam Board

Gary Anderson, 7-1-17 to 7-1-19, Appointment

Library Board

Kim Kern, 7-1-17 to 7-1-21, Reappointment

Mechanical Exam Bd.

Mike Hanson, 7-1-17 to 7-1-19, Reappointment

Mechanical Exam Bd.

Gary Primrose, 7-1-17 to 7-1-19, Reappointment

Housing Authority

Scott Pauley, 7-1-17 to 7-1-22, Reappointment

Planning Commission

Mac Rundle, 9-25-17 to 2-1-18 , Replacing Keith Napier (Retiring)

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

(b) Moved by Butch Eley seconded by Ginny Skutnik to approve the Mayor's recommendation to appoint Kevin Johnson as Utility Manager, starting October 16, 2017.

Mayor Stutte thanked Al Meyer, Interim Manager of Hastings Utilities, for an excellent job under difficult circumstances. Discussion was held regarding the excellent group of candidates and thoroughness of the selection process.

Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

Moved by Ginny Skutnik seconded by Scott Snell there being no further business to adjourn at 6:03p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Ginny Skutnik, Jeniffer Beahm. Nays: None. Absent: None. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)