

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, October 9, 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 October 9, 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, Butch Eley, Sarah Hoops, Scott Snell, Phil Odom, Paul Hamelink, John Harrington. Absent: Ginny Skutnik.

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 October 9, 2017 Regular Meeting. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. 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 Eley commented on today being the 24th anniversary of Joel Conklin's death, in the line of duty as a Hastings Police Officer. A moment of silence was observed in his honor.

Councilmember Hoops announced the grand opening for the newly renovated library on October 21st.

Councilmember Beahm reported on the second meeting held by the Mayor's Youth Council. They have completed their first community service project.

MAYOR'S COMMUNICATIONS:

Mayor Stutte also remembered Officer Conklin and his family for their sacrifice.

Mayor Stutte recognized service anniversaries for Clayton Wennekamp, Police, 5 years; Terri Cushman, Museum, 5 years; Noel Nienhueser, HU Sub & Meter, 10 years; Rex Rowley, HU WEC, 5 years.

CONSENT AGENDA:

1. All Consent Items.

Moved by Sarah Hoops seconded by Scott Snell to approve all Consent Items, as presented.

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

(a) Approval of the minutes of the Council Meeting of September 25, 2017

(b) Approval of the minutes of the Worksession of September 18, 2017

(c) Approval of claims and payroll

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

(e) Approval of the request of Hastings Family YMCA to utilize city streets for the Turkey Trot Run/Walk on November 18, 2017

REGULAR AGENDA:

3. Public Hearings.

(a) Moved by Scott Snell seconded by Phil Odom to adjourn as Mayor and City Council and reconvene as Board of Equalization. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

Public hearing on the levying of assessments in the Business Improvement District.

Randy Chick, Business Improvement District, spoke in support. Assessed value in the district for 2010 was \$19 million, but has increased in value to over \$25 million. No other public testimony was given. Clerk received no objections.

(b) Moved by John Harrington seconded by Paul Hamelink to adjourn as Board of Equalization and reconvene as Mayor and City Council. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

(c) Moved by Butch Eley seconded by Jeniffer Beahm to approve Resolution No. 2017-31 making assessments in the Business Improvement District of the City of Hastings.
Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

(d) Public hearing on the request of the Hastings Community Redevelopment Authority to consider Plan Modification # 08.15.17 to Redevelopment Plan I for Lots One (1), Two (2), and Three (3), Davis Addition, City of Hastings, Adams County, Nebraska, according to the recorded plat thereof.

Randy Chick, Community Redevelopment Authority, spoke in support. No other public testimony was given. Clerk received no objections.

Moved by Scott Snell seconded by Sarah Hoops to approve Resolution No. 2017-37
Plan Modification # 08.15.17 to Redevelopment Plan I for Lots One (1), Two (2) and Three (3) of the Davis Addition to the City of Hastings. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

(e) Public hearing on the adoption of the 2017 National Electrical Code promulgated by the National Fire Protection Association, with local amendments as recommended by the City of Hastings Electrical Licensing Board.

Don Threewitt, Development Services Director, gave a staff report. The last update to the Electrical Code was done in 2015. This action will adopt the most current code, keeping with the State of Nebraska.

No public testimony was given. Clerk received no objections.

ORDINANCE NO. 4523 AMENDING CHAPTER 29 OF HASTINGS CITY CODE ADOPTING THE 2017 NATIONAL ELECTRICAL CODE PROMULGATED BY THE NATIONAL FIRE PROTECTION ASSOCIATION.

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

The Mayor then stated the question "Shall Ordinance No. 4523 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, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

Councilmember Paul Hamelink 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, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. 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 13, 2017. Effective date of the ordinance is October 25, 2017.

(f) Public hearing on the request of THOAR, LLC for a zoning change from "I-1 Light Industrial" to "C-2 Central Business District" for Lots One (1), Two (2), and Three (3) in Davis Addition, to the City of Hastings, Nebraska.

Don Threewitt, Development Services Director, gave a staff report. He explained the zoning change would make a more appropriate use for the vicinity.

Dave Rippe, THOR LLC, spoke in support. Clerk received no objections.

ORDINANCE NO. 4524 APPROVING ZONING CHANGE FOR LOTS ONE (1), TWO (2), AND THREE (3) IN DAVIS ADDITION TO THE CITY OF HASTINGS, NEBRASKA

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

The Mayor then stated the question "Shall Ordinance No. 4524 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, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

Councilmember Sarah Hoops moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley 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, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. 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 13, 2017. Effective date of the ordinance is October 25, 2017.

(g) Public hearing on the application of Walgreen Company dba "Walgreens #03269" for a Class "D" Liquor License at 705 Burlington Avenue. No public testimony was given. No objections received by City Clerk.

Moved by John Harrington seconded by Sarah Hoops to approve Resolution No. 2017-40. . . Approving the application of Walgreen Company dba "Walgreens #03269" for a Class "D" Liquor License at 705 Burlington Avenue. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

(h) Moved by Butch Eley seconded by Sarah Hoops to approve the manager application of Steven C. Roker in connection with the Class "D" Liquor License of Walgreen Company dba "Walgreens #03269" located at 705 Burlington Avenue. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

4. General Business.

(a) Moved by Phil Odom seconded by John Harrington to approve the final plat for Lochland Meadows Subdivision Number 12.

Don Threewitt, Development Services Director, gave a staff report. This will meet the character of the area. The surrounding land use is compatible.

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

(b) Moved by Butch Eley seconded by Paul Hamelink to approve the final plat for Tri-K Fourth Subdivision. Don Threewitt, Development Services Director, gave a staff report.

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

(c) Moved by John Harrington seconded by Paul Hamelink to approve the International Association of Firefighters Local 675 Collective Bargaining Agreement.

Mayor Stutte stated that one of the key issues in the contract is the addition of Grand Island into the array. Mr. Ptak, City Attorney, was lead negotiator for the City of Hastings.

Mr. Ptak, City Attorney, stated the biggest thing is the recognition of the importance of the paramedic positions in our fire and rescue personnel. As a result, there is compensation for paramedic certification.

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

(d) Moved by Butch Eley seconded by Scott Snell to approve the Wage Addendum to Fraternal Order of Police Lodge 9 Collective Bargaining Agreement.

Mayor Stutte stated the extension adds Grand Island to the array.

Joe Patterson, City Administrator, met with the FOP President to discuss the contract extension.

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

9. Closed Session.

Moved by Paul Hamelink seconded by John Harrington to move into closed session at 6:01p.m. to discuss negotiations and litigation. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

Moved by Butch Eley seconded by Sarah Hoops to come out of closed session at 6:35p.m.

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

Moved by Sarah Hoops seconded by Butch Eley there being no further business to adjourn at 6:35p.m. Roll Call: Ayes: John Harrington, Paul Hamelink, Phil Odom, Scott Snell, Butch Eley, Sarah Hoops, Jeniffer Beahm. Nays: None. Absent: Ginny Skutnik. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)