



City of Grand Island

Tuesday, March 26, 2013

Council Session

Item G2

Approving Minutes of March 19, 2013 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

March 19, 2013

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on March 19, 2013. Notice of the meeting was given in the *Grand Island Independent* on March 13, 2013.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following Councilmembers were present: Vaughn Minton, Mike Paulick, Scott Dugan, John Gericke, Peg Gilbert, Mitch Nickerson, Julie Hehnke, Chuck Haase, Linna Dee Donaldson, and Bob Niemann. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Robert Sivick, Finance Director Jaye Monter and Public Works Director John Collins.

INVOCATION was given by Community Youth Council member Kerrigan Anspauch followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced CYC member Kerrigan Anspauch.

SPECIAL ITEMS:

Update on FEMA Training. Emergency Management Director Jon Rosenlund gave a report on the Emergency Operations Center Training and Exercise held February 12-15, 2013 in Grand Island. There were 30 different agencies and 65 participants involved with the training/exercise.

Mr. Rosenlund explained the following Emergency Operations Center (EOC) responsibilities during an incident: establish response priorities & policy direction; manage and share information; support the incident operations in the field; coordinate resources; provide critical public information and liaison between jurisdictions. Explained was the Incident Management Team (IMT).

The training objections were: 1) provide effective command and control of the incident through the EOC and IMT; 2) provide timely and accurate public information and warning; and 3) provide adequate evacuation, mass care and shelter for disaster victims.

Some of the comments for the strengths of the exercise were: building new relationships; use of Incident Command Structure (ICS) forms; interagency cooperation; no squabbling between jurisdictions; establish new Joint Information Center staff; and IMT staff well prepared.

Mentioned were areas to improve were: situational awareness between IMT and EOC; overcome natural separation between public safety and non-traditional partners; legal & policy issues of declaration and delegation of authority; and new structure of EOC operations.

Mr. Rosenlund answered questions concerning the benefits of this exercise. Public Works Director John Collins commented on his experience with disasters in Louisiana.

Presentation on Liquor Licenses. City Clerk RaNae Edwards gave a PowerPoint presentation on the liquor license processes for the City of Grand Island. The following points were presented:

- Applications received by the City Clerk from the Nebraska Liquor Control Commission (LCC)
- City Clerk routes application to the Fire, Health, Building, and Police Departments for inspections
- City Clerk sends letter to applicant of date, time, and place of hearing
- Departments return application with recommendation to City Clerk
- Public Hearing held by the City Council
- City Council makes one of four decisions on application:
 - a.) Approve application
 - b.) No recommendation without stipulations
 - c.) No recommendation with stipulations
 - d.) Deny application
- City Clerk notifies LCC of decision from City Council
- LCC requires review from State Patrol, Health, State Fire Marshal, and Local Governing Body
- LCC makes one of four decisions:
 - a.) If local governing body approves application, LCC will hold license for 10 days to allow for protests, if no protests license will be issued to the Clerk.
 - b.) If no local recommendation without stipulations, LCC will hold license for 45 days to allow for protests, if no protests license will be issued to the Clerk.
 - c.) If no local recommendation with stipulations, LCC will review stipulations and determine if a hearing is needed. License would either be approved and sent to the Clerk or a hearing would be held.
 - d.) If local governing body denies the application, LCC will automatically set a hearing date. Commission will decide to either deny or approve the license.
- If LCC approves, the license is sent to the Clerk.

Police Chief Steve Lamken reported on license application investigations, bar checks, compliance checks, and tavern violations. Also mentioned were the most common license issues: incomplete information, financing, manager residency, nonparticipation, and business plan.

Building Department Director Craig Lewis reported on assembly occupancies – Legal – Code compliant, Legal – Non-Confirming, and Not Legal. Fire Division Chief Fred Hotz reported on National Fire Protection Life Safety Codes and existing assembly occupancies.

Reviewed were the following LCC Considerations:

- Recommendation of the Local Governing Body
- Existence of a Citizens' Protest
- Existing Population and Projected growth
- Nature of the Neighborhood
- Existence of Absence of Other Retail Licenses within the Neighborhood or Community
- Traffic Flow
- Adequacy of Existing Law Enforcement
- Zoning Restrictions

- Sanitation
- Public Interest

The following procedures were presented for Short Form Renewal of Liquor Licenses:

- Liquor Control Commission issues renewals to the Clerk's
- Clerk issues notification of renewals and form to applicant's
- Applicant sends renewal form to LCC with application fee
- LCC sends license to the Clerk for distribution and collection of fee

Ms. Edwards reported that this was a 1 day license for a fee of \$40.00 each paid to the state and \$80.00 paid to the City. If the retail licensee holds a catering designation there was no fee.

The following procedures were presented for SDL's:

- Applicant obtains and initiates the process with the local Clerk
- Clerk routes the application to the Fire, Health, Building, and Police Departments
- Routed applications are returned to the Clerk with recommendation (Police Department memo must be favorable in order to continue with process)
- Clerk sends application and money, if required to LCC
- LCC issues permit to the Clerk
- Clerk notifies applicant to pick up license

Definitions were covered concerning suspend, cancel, and revoke along with the Classes of Liquor Licenses and fees.

Ms. Edwards reviewed Nebraska State Statute §53-149. Liquor license is a personal privilege; good for not to exceed one year after issuance; does not constitute property; not subject to attachment, garnishment or execution; not alienable or transferable; and terminates immediately upon the sale of the licensed premises.

Ms. Edwards reported that all Class "C" licenses expire October 31st of each year and all Non-Class "C" licenses expire April 30th of each year. Statewide, there were 5,516 liquor licenses. Grand Island had 662 Class "C" and 64 Non-Class "C" liquor licenses. Ms. Edwards mentioned that all new licenses were to be approved by resolution. Section 53-133 and 53-132.04 was discussed with regards to state and local hearings.

Presentation on Legislative Process. City Administrator Mary Lou Brown gave a PowerPoint presentation on Legislative Processes. Reviewed were the legislative committees and the information flow of the legislature, League of Nebraska Municipalities, Senators, Greater Nebraska Cities and the City.

Currently the City paid the Nebraska Municipalities \$33,000 per year which included lobbyist, conferences, training, etc. Existing process limitations and impacts were: time; divided loyalties; Eastern Nebraska vs rest of the state; bill dynamics; and Grand Island not fully represented.

Explained was the O'Hara Lindsay Government Affairs Proposal for Greater Nebraska Cities (GNC). Ms. Brown stated there were three phases: 1) identify immediate needs, 2) prepare for the future, and 3) ongoing implementation. Grand Island's share of the GNC relationship would be \$12,000. Individual city representation was a negotiated rate, capped at \$20,000. The benefits

of belonging to GNC were: dedicated resource, experienced professionals, existing relationships, and ability to meet time demands.

Comments were made concerning the need of lobbyists representing the city in the legislature. Ms. Brown answered questions concerning other companies that supplied these services. Mentioned was the importance of the local officials/citizens appearing before the legislature. Conflicts of interests for the company could happen.

Ms. Brown recommended participating with the Greater Nebraska Cities. Mayor Vavricek stated the city should have stronger representation in Lincoln. Ms. Brown commented on legislative meetings with the League which the Mayor and City Administrator are members of.

Mayor stated we don't need to spend tax dollars to get more tax dollars, but we needed to be stronger. Mentioned was that the city was a Metropolitan Statistical Area. Ms. Brown stated this item would come before the Council for a decision.

ADJOURNMENT: The meeting was adjourned at 9:25 p.m.

RaNae Edwards
City Clerk