



# **City of Grand Island**

**Tuesday, May 14, 2013**

**Council Session**

## **Item G-1**

### **Approving Minutes of April 23, 2013 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 23, 2013

Pursuant to due call and notice thereof, a Regular Meeting 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 April 23, 2013. Notice of the meeting was given in *The Grand Island Independent* on April 17, 2013.

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

INVOCATION was given by Pastor Dan Bremer, Grace Lutheran Church, 545 East Memorial Drive followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Public Health Month" April, 2013. Mayor Vavricek proclaimed the month of April, 2013 as "Public Health Month". Ryan King representative from the Central NE Health Department was present to receive the proclamation.

Proclamation "Stand Against Racism" April 26, 2013. Mayor Vavricek proclaimed April 26, 2013 as "Stand Against Racism". Dori Bush and Anita Lewandowski representing the YWCA were present to receive the Proclamation.

Recognition of Nebraska State Fair 1868 Foundation "Chillin' at the State Fair". Mayor Vavricek recognized the efforts of the Nebraska State Fair 1868 Foundation to raise money to air condition the concourse beneath the grandstand at the Nebraska State Fair. Executive Director of the Nebraska State Fair Joseph McDermott and Executive Director of the 1868 Foundation Lindsey Koepke were present for the recognition.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located at 1140 South Lincoln Street (Goodwill Industries). Utilities Director Tim Luchsinger reported that a utility easement located at 1140 South Lincoln Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of providing conduit placement as constructed in addition to the easements obtained previously. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located 1/4 Mile South of Stolley Park Road and 1/4 Mile West of Gunbarrel Road (Rainy Day Farm Enterprises Preferred, LLC). Utilities Director Tim Luchsinger reported that a utility easement located 1/4 mile south of Stolley Park

Road and 1/4 mile west of Gunbarrel Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of placing underground conduit, cable and a pad-mounted transformer to serve the irrigation well on the property. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located between Phoenix & Oklahoma Avenues and Locust & Eddy Streets along the Hike/Bike Trail (Steve & Barbara Fuller). Utilities Director Tim Luchsinger reported that a utility easement located between Phoenix & Oklahoma Avenues and Locust & Eddy Streets was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of locating new overhead primary and secondary lines and a transformer to help solve low voltage issues. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property Located West of South Locust Street and South of US Hwy 34 from LLR (Large Lot Residential) to B2 (General Business Zone). Regional Planning Director Chad Nabity reported that a request to rezone approximately 4 acres of land south of Lake street and west of South Locust Street (3556 South Locust Street) from LLR (Large Lot Residential) to B2 (General Business Zone) had been received to make the zoning consistent across the full parcel. Staff recommended approval. No public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan Area 8 Located at 1119 South Adams Street. Regional Planning Director Chad Nabity reported that Chief Industries, Inc., developer, had submitted a proposed site specific redevelopment plan that would provide for site acquisition, clearance and extension of utilities and subsequent construction of a duplex at 809 and 811 Kimball Avenue. Council was asked to approve a resolution approving the cost benefit analysis as presented in the redevelopment plan along with the amended redevelopment plat for CRA Area #8 and authorize the CRA to execute a contract for TIF based on the plan amendment. Ron Depue, 308 North Locust Street spoke in support. Staff recommended approval. No public testimony was heard.

Public Hearing on Annexation of Ummel Second Subdivision Located North of Bronco Road and East of Shady Bend Road. Regional Planning Director Chad Nabity reported that Tommy Ummel Sr., Tommy Ummel Jr. and Cary Ummel, owners had submitted Ummel Second Subdivision as an Addition to the City of Grand Island. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Permanent Easements for the North Interceptor Phase 1 Project No. 2012-S-6. Public Works Director John Collins reported that permanent easements were necessary to complete the North Interceptor located north of Swift Road and south of the new pumping station between 7<sup>th</sup> Street and the Wastewater Treatment Plant. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Right-of-Way for the Various Locations 2013 Federal Aid Resurfacing Project. Public Works Director John Collins reported that the City sought federal Surface Transportation Program (STP) funds for Various Locations in Grand Island. The proposed project consisted of removing 2" of existing asphalt by cold milling and placement of 2" new Asphaltic Concrete. Right-of-Way was necessary for this project to be complete. Staff recommended approval. No public testimony was heard.

ORDINANCES:

Councilmember Gilbert moved “that the statutory rules requiring ordinances to be read by title on three different days are suspended and that ordinances numbered:

#9425 – Consideration of Request to Rezone Property Located West of South Locust Street and South of US Hwy 34 from LLR (Large Lot Residential) to B2 (General Business Zone)

#9426 – Consideration of Annexation of Ummel Second Subdivision Located North of Bronco Road and East of Shady Bend Road (First Reading)

#9427 – Consideration of Creation of Street Improvement District No. 1261; Westgate Road – North Road East to Paved Section of Westgate Road

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

#9425 – Consideration of Request to Rezone Property Located West of South Locust Street and South of US Hwy 34 from LLR (Large Lot Residential) to B2 (General Business Zone)

Ordinance #9425 related to the aforementioned Public Hearing.

Motion by Donaldson, second by Niemann to approve Ordinance #9425.

City Clerk: Ordinance #9425 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9425 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9425 is declared to be lawfully adopted upon publication as required by law.

#9426 – Consideration of Annexation of Ummel Second Subdivision Located North of Bronco Road and East of Shady Bend Road (First Reading)

Ordinance #9426 related to the aforementioned Public Hearing. Discussion was held regarding the availability of city sewer and water.

Motion by Dugan, second by Niemann to approve Ordinance #9426.

City Clerk: Ordinance #9426 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

**#9427 – Consideration of Creation of Street Improvement District No. 1261; Westgate Road – North Road East to Paved Section of Westgate Road**

Public Works Director John Collins reported that Ordinance #9427 would create Street Improvement District No. 1261. The District would consist of Westgate Road extending east from North Road to the existing hard surface portion of Westgate Road. The project would consist of paving, as well as connecting the initial phase of the Moores Creek Drainway to this area and eliminating the ditch section. This project was currently estimated at \$500,000.00 and would be assessed to adjacent property owners. All property owners in this proposed district had signed the district creation petition form. Staff recommended approval. No public testimony was heard.

Motion by Gilbert, second by Donaldson to approve Ordinance #9427.

City Clerk: Ordinance #9427 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9427 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9427 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-15 and G-18 were removed for further discussion. Motion by Donaldson, second by Niemann to approve the Consent Agenda excluding items G-15 and G-18. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of April 9, 2013 City Council Regular Meeting.

Receipt of Official Documents – Pawnbroker's Official Bonds for G.I. Loan Shop, 1004 West 2<sup>nd</sup> Street and Express Pawn, 645 South Locust Street.

Approving Re-Appointments of Julie Connelly, Karen Bredthauer, and Scott Ericksen to the Interjurisdictional Planning Commission.

#2013-109 – Approving Final Plat and Subdivision Agreement for Rainbow Sixth Subdivision. It was noted that SSB Development LLC, owner, had submitted the Final Plat and Subdivision Agreement for Rainbow Sixth Subdivision for the purpose of creating 25 lots on property located south of Rainbow Road and east of Blaine Street containing 19.775 acres.

#2013-110 – Approving the Change of Name for a Private Street from Riley Circle to Bentley Circle.

#2013-111 – Approving Acquisition of Utility Easement Located at 1140 South Lincoln Street (Goodwill Industries).

#2013-112 – Approving Acquisition of Utility Easement Located 1/4 Mile South of Stolley Park Road and 1/4 Mile West of Gunbarrel Road (Rainy Day Farm Enterprises Preferred, LLC).

#2013-113 – Approving Acquisition of Utility Easement Between Phoenix & Oklahoma Avenues and Locust & Eddy streets along the Hike/Bike Trail (Steve & Barbara Fuller).

#2013-114 – Approving Recommendation for Acceptance of Electric System Consulting Engineer with Burns & McDonnell of Kansas City, MO in an Amount not-to-exceed \$24,000.00.

#2013-115 – Approving Execution of Dodd-Frank Act Representations and Reporting Amending Agreement Relative to the Tenaska Power Marketing Agreement.

#2013-116 – Approving Agreement for Temporary Construction Easements for the North Interceptor Phase I Project No. 2012-S-6 for a Total Amount of \$8,570.00.

#2013-117 – Approving Acquisition of Permanent Easements for the North Interceptor Phase I Project No. 2012S-6 for a Total Amount of \$18,176.00.

#2013-118 – Approving Acquisition of Right-of-Way for the Various Locations 2013 Federal Aid Resurfacing Project for a Total Amount of \$620.00.

#2013-119 – Approving Agreement for Engineering Services for the Eddy Street and Sycamore Street Underpass Bridges and Retaining Walls with Parsons Brinckerhoff, Inc. of Lincoln, NE with a Maximum Amount of \$116,959.87.

#2013-120 – Approving State Bid Award for (1) 2013 F350 Extended Cab Diesel Ford 4x4 Pickup for the Wastewater Division of the Public Works Department with Anderson Auto Group of Lincoln, NE in an Amount of \$38,181.00. Public Works Director John Collins reported this 2013 Ford truck was to replace the 2013 Chevrolet truck approved by Council but was unavailable. Discussion was held regarding the need for an extended cab and diesel engine. Mr. Collins stated he would look into this before they purchased the truck.

Motion by Haase, second by Dugan to approve Resolution #2013-120. Upon roll call vote, all voted aye. Motion adopted.

#2013-121 – Approving Work Directive No. 1 in Lift Station No. 7 Improvements Project No. 2011-S-1A with The Diamond Engineering Company of Grand Island, NE in an Estimated Amount of \$466.00.

#2013-122 – Approving Agreement for Temporary Construction Easements & Leasehold Agreements for the Various Locations 2013 Federal Aid Resurfacing Project in a Total Amount of \$10,745.00.

#2013-123 – Approving Contract with CentruyLink for Private Switch/Automatic Location Identification Service for City Hall Calls to 911 Center in an Amount of \$15.75 Monthly, a Nonrecurring Fee of \$27.90, and a System Setup Charge of \$2,036.00. Finance Director Jaye Monter explained the purchase of the Private Switch/Automatic Location Identification Service. Emergency Management Director Jon Rosenlund explained that the DID number was to match the addresses. Discussion was held regarding the extra cost of DID lines.

Motion by Haase, second by Minton to approve Resolution #2013-123. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2013-134 – Consideration of Approving Amendment to the Redevelopment Plan Area 8 Located at 119 South Adams Street. This item related to the aforementioned Public Hearing. Comment was made regarding the source of financing.

Motion by Gericke, second by Niemann to approve Resolution #2013-124. Upon roll call vote, all voted aye. Motion adopted.

#2013-125 – Consideration of Approving a Resolution to Authorize Filing Applications with the Federal Transit Administration for Federal Transportation Assistance. Regional Planning Director Chad Nabity reported that in October, 2012 the City was designated by the State of Nebraska as a direct Recipient of Section 5307 Urban Transit Funds available through the State of Nebraska from the Federal Transit Administration (FTA). This Resolution preserves the ability of the City to access 5307 urban transit dollars in the future. Staff recommended approval.

Comments were made that the 5307 dollars were not dollars currently spent on transportation. Mr. Nabity stated those were rural transit dollars and the 5307 were new monies. This resolution would allow the access of those funds.

Motion by Dugan, second by Haase to approve Resolution #2013-125. Upon roll call vote, all voted aye. Motion adopted.

#2013-126 – Consideration of Approving Emergency Procurement for Platte Generating Station Cooling Tower Repairs. Utilities Director Tim Luchsinger reported that during the night of April 8, 2013, high winds damaged one of the five fan chutes on the cooling tower. Due to procurement procedures delaying the repair it is recommended that authorization to proceed with obtaining a contractor be declared an emergency and that the Utilities Department be authorized to proceed with the cooling tower at Platte Generating Station at an estimated cost of \$60,000.00.

Discussion was held regarding the risk of the same damage to the other towers. Mr. Luchsinger stated this was the first time in 30 years this had happened. All the other towers were OK. Questioned was if this was covered under the City's liability insurance. Mr. Luchsinger stated the Utility Department had a half a million dollar deductible.

Motion by Gericke, second by Haase to approve Resolution #2013-126. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Donaldson to approve the Claims for the period of April 10, 2013 through April 23, 2013, for a total amount of \$3,174,484.30. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:06 p.m.

RaNae Edwards  
City Clerk