



# **City of Grand Island**

**Tuesday, May 28, 2013**

**Council Session**

## **Item G-1**

**Approving Minutes of May 14, 2013 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
May 14, 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 May 14, 2013. Notice of the meeting was given in *The Grand Island Independent* on May 8, 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 Clerk RaNae Edwards, City Attorney Robert Sivick, Public Works Director John Collins and Finance Director Jaye Monter.

INVOCATION was given by Pastor Chad Boling, First United Methodist Church, 4190 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Bethany Hollman.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Grand Island Senior High Students First Place Win at State Competition in Teamworks at the Nebraska State SkillsUSA Conference. Mayor Vavricek and the City Council recognized Grand Island Senior High Students: Brandon Gawrych, Max Geiger, Colton Durham, Neri Perez, and Coach Brett Forsman for their first place win in Teamworks at the Nebraska State SkillUSA competition. All were present for the recognition.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located at 2391 South North Road (Chief Industries, Inc.). Utilities Director Tim Luchsinger reported that a utility easement located at 2391 South North Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of installing new underground cable, conduit, and a pad-mounted transformer. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1403, 1411, 1419, and 1427 South Adams Street (Gary Eilenstine). Utilities Director Tim Luchsinger reported that a utility easement located at 1403, 1411, 1419, and 1427 South Adams Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of placing conduit, cable, and transformers along Adams Street to provide electrical service for new eight-plex buildings to be constructed on the lots. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1922 West 3<sup>rd</sup> Street (Donald & Sharon Jelinek). Utilities Director Tim Luchsinger reported that a utility easement located at 1922 West 3<sup>rd</sup> Street 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, conductor, and a three-phase transformer to serve electrical power to a new Verizon tower and shelter structure. Staff recommended approval. No public testimony was heard.

Public Hearing on Declaring Proposed Redevelopment Plan Area 12 as Blighted and Substandard Located South and North of Old Potash Highway, East of Engleman Road and West of North Road. Regional Planning Director Chad Nabity reported that this item related to the Study for proposed CRA Area #12 which included the area of Indian Acres Subdivision and Copper Creek Estates west and south of Shoemaker School in northwest Grand Island containing 234.4 acres. The first step in the process was for Council to forward this item to the Regional Planning Commission for the declaration of property as blighted and substandard. Staff recommended approval.

The following people spoke in support:

- Orville Stahr, 1512 Road 13, York, NE
- David Ostdiek, 4057 Craig Drive
- Curt Ratliff, 33 Kuester Lake – supported north part of request – opposed south part of the request which included Cooper Creek Estates
- Kent Cordes, 1111 Central Avenue, Kearney, NE
- Gloria Thesenvitz, 2210 Riverview Drive
- Dr. Laura Sweley-Buettner, 3628 Hidden Pointe Drive
- Karen Bredthauer, 940 So. North Road
- Dawn Sweley, 1914 Boys Street, Hastings, NE
- Max Exon, 1707 Grand Island Avenue
- E.W. Skala, 323 Mallard Lane
- Sylvia Henderson, 1068 Highway 281, St. Paul, NE
- Brian Levander, 209 Redwood Road
- Raymond O'Connor, 611 Fleetwood Road
- Ken Gnadt, 1610 Gretchen Avenue
- Cindy Johnson, Chamber of Commerce, 309 West 2<sup>nd</sup> Street
- Cindy Addison, 221 Arapahoe Avenue

The following people spoke in opposition:

- Paul Hamilton, 305 Cherokee Avenue
- Bart Bennetzen, 200 Cherokee Avenue

No further public testimony was heard.

#### ORDINANCES:

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

Regional Planning Director Chad Nabity reported this was the second of three readings for the annexation of Ummel Second subdivision. City Clerk RaNae Edwards read it by title only.

Motion by Dugan, second by Nickerson to approve Ordinance #9426. Upon roll call vote, all voted aye. Motion adopted.

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

#9428 – Consideration of Creation of Water Main District 466T on Airport Road

#9429 – Consideration of Amending Chapter 12-5 of the Grand Island City Code Relative to Positions Covered by Civil Service

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.

#9428 – Consideration of Creation of Water Main District 466T on Airport Road

Utilities Director Tim Luchsinger reported that Ordinance #9428 would extend a new water main along Airport Road from 1/4 mile east of Highway 281 to Sky Park Road, and along Academy Road from Airport Road to Twin Star Lane at the Central Nebraska Regional Airport. Discussion was held regarding a tap district on Cannon Road.

Motion by Donaldson, second by Niemann to approve Ordinance #9428.

City Clerk: Ordinance #9428 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 #9428 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 #9428 is declared to be lawfully adopted upon publication as required by law.

#9429 – Consideration of Amending Chapter 12-5 of the Grand Island City Code Relative to Positions Covered by Civil Service

City Attorney Robert Sivick reported that Ordinance #9429 would add the Shift Commander positions in the Fire Department to the Civil Service Rules and Regulations.

Motion by Dugan, second by Niemann to approve Ordinances #9428 and #9429.

City Clerk: Ordinance #9429 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Minton, Dugan, Gericke, Gilbert, Nickerson, Hehnke, Haase, Donaldson, and Niemann voted aye. Councilmember Paulick voted no. Motion adopted.

City Clerk: Ordinance #9429 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Minton, Dugan, Gericke, Gilbert, Nickerson, Hehnke, Haase, Donaldson, and Niemann voted aye. Councilmember Paulick voted no. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9429 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-13 was pulled from the agenda. Consent Agenda item G-11 was removed for further discussion. Motion by Donaldson, second by Niemann to approve the Consent Agenda excluding items G-11 and G-13. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of April 23, 2013 City Council Regular Meeting.

Approving Minutes of May 7, 2013 City Council Special Meeting.

Approving the Appointments of Councilmembers Vaughn Minton, Scott Dugan, Robert Niemann, and Julie Hehnke to the Metropolitan Planning Organization Policy Board.

#2013-127 – Approving Final Plat and Subdivision Agreement for Chief/Westgate Subdivision. It was noted that Chief Construction Company, owner had submitted the Final Plat and Subdivision Agreement for Chief/Westgate Subdivision for the purpose of replating Lot 1, Westgate Fourth Subdivision located north of US Highway 30 and east of North Road containing 12.13 acres.

#2013-128 – Approving Purchase of Mobile Field Reporting for Code Enforcement with Spillman Technologies, Inc. in an Amount of \$7,575.00.

#2013-189 – Approving Acquisition of Utility Easement Located at 2391 So. North Road (Chief Industries, Inc.).

#2013-190 – Approving Acquisition of Utility Easement Located at 1403, 1411, 1419, and 1427 So. Adams Street (Gary Eilenstine).

#2013-131 – Approving Acquisition of Utility Easement Located at 1922 West 3<sup>rd</sup> Street (Donald & Sharon Jelinek).

#2013-132 – Approving Bid Award for Water Main Project 2013-W-2 – Sycamore Street, from Ashton Avenue to 1<sup>st</sup> Street with The Diamond Engineering Company of Grand Island, NE in an Amount of \$313,253.19.

#2013-133 – Approving Bid Award for the 2013 Asphalt Resurfacing Project No. 2013-AC-2 with Gary Smith Construction Co., Inc. of Grand Island, NE in an Amount of \$162,197.75.

#2013-134 – Approving Bid Award for Lawn Maintenance at the Wastewater Treatment Plant with Rick's Lawn Care Company of Grand Island, NE in an Amount of \$38,080.00 Annually for Mowing and \$12,339.00 Annually for Maintenance. Wastewater Treatment Plant (WWTP) Superintendent Marvin Strong reported that currently a maintenance employee of the WWTP

had been mowing the property at the Wastewater Treatment Plant at \$24.00 per hour with the help of a seasonal worker. In reviewing the cost of having a city employee do this work instead of what he was hired for it was felt hiring a contractor would be more cost effective. Bids for lawn maintenance at the WWTP had been received with one bidder submitting a bid. Public Works Director John Collins stated they could re-bid this item or hire seasonal workers.

Comments were made by council that this wasn't a function of the WWTP employee. Concerns were mentioned concerning the estimate of \$9,000 for this bid and the bid submitted by Rick's Lawn Care Co. of \$50,419.00.

Motion by Gericke to table this item. Motion died due to a lack of a second.

Comments were made to see if other departments would be able to provide this service or hiring a part-time seasonal employee.

Motion by Gericke, second by Gilbert to refer this item to the June 11, 2013 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

#2013-135 – Approving Bid Award for One (1) Sewer Camera with Snode and Steerable Large Pipe Transporter, with Electric Lift and Backup Camera for the Wastewater Division of the Public Works Department with Municipal Pipe Tool Company, LLC of Hudson, IA in an Amount of \$52,560.00.

#2013-136 – Approving Maintenance Services for Supervisory Control and Data Acquisition (SCADA) Programming at the Wastewater Treatment Plant with Interstate Industrial Instrumentation, Inc. of Lincoln, NE. This item was pulled at the request of the Public Works Department.

#2013-137 – Approving Agreement with Nebraska Department of Roads for 2013 Fracture Critical Bridge Inspections in an Amount of \$230.02.

#2013-138 – Approving Supplemental No. 1 to the Program Agreement with Nebraska Department of Roads for the Federal Funds Purchase Program.

#2013-139 – Approving Program Supplemental Agreement No. 2 with the State of Nebraska Department of Roads for the US Highway 30 Drainage Improvement Project.

#2013-140 – Approving Program Supplemental Agreement No. 1 with the State of Nebraska Department of Roads for the Grand Island Various Locations (Resurfacing) Project.

#2013-141 – Approving Program Supplemental Agreement No. 1 with the State of Nebraska Department of Roads for the Capital Avenue – Webb Road to Broadwell Avenue Project.

#2013-142 – Approving Agreement for Temporary Construction Easement for the Various Locations 2013 Federal Aid Resurfacing Project with Church of God of Prophecy in an Amount of \$650.00.

#2013-143 – Approving a Five Year Lease for Parking Spaces at Well Fargo Bank in an Amount of \$2,500.00 per year.

#2013-144 – Approving COP Hiring Grant Application.

REQUESTS AND REFERRALS:

Approving Referral of Downtown Business Improvement District 2013 to the Regional Planning Commission. Community Development Administrator Marco Floreani reported that the first step in creating the Downtown Business Improvement District 2013 was to refer this to the Regional Planning Commission for review and recommendation according to law. The new District was to replace the existing Downtown Business Improvement District.

Motion by Dugan, second by Gilbert to approve the referral of Downtown Business Improvement District 2013 to the Regional Planning Commission. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2013-145 – Consideration of Declaring Redevelopment Plan Area 12 as Blighted and Substandard Located South and North of Old Potash Highway, East of Engleman Road and West of North Road. This item related to the aforementioned Public Hearing. Mentioned was that council was required to vote only on the study meeting the criteria set out declaring a blighted and substandard area. It was mentioned that the Grand Island Public School supported this project. Mr. Nabity stated the benefits for this area being blighted and substandard would be funds available through Tax Increment Financing (TIF). Orville Stahr with Stahr & Associates, Inc. of York, NE who did the study explained how the boundaries were set. Mr. Nabity answered the question of how to undesignate an area as blighted and substandard. The council would have to approve this with a Resolution.

Motion by Gilbert, second by Niemann to approve Resolution #2013-145. Upon roll call vote, all voted aye. Motion adopted.

#2013-146 – Consideration of Approving Bid Award for Grand Island Wastewater Treatment Plant Headworks Improvements; Project No. WWTP-2013-1 from Garney Companies, Inc. of Gardner, KS in an amount of \$16,918,000.00. Public Works Director John Collins stated this item and the next four items were all related to the Wastewater Rehabilitation Project. WWTP Superintendent Marvin Strong gave a PowerPoint presentation overview of the Headworks project.

The following people from Diamond Plastics spoke in opposition of using fiberglass pipe:

- Jerry Parkinson, Vice-President
- Peggy Skaggs, Vice-President of Finance
- Matthew Farrell, 2008 Prospect Street
- Steve Rolf, Quality Manager
- Ron Bishop, 2516 Parkview Drive
- Scott Schleicher, 107 West 12<sup>th</sup> Street
- Raul Johnson, Lincoln, NE

Discussion was held regarding the use of PVC pipe vs. fiberglass. Kevin Metter, Design Engineer with Black & Veatch stated they recommended Fiberglass Reinforced Pipe (FRP) as the best for the city based on corrosion resistance, life cycle costs and ease of construction. Discussion was held regarding the costs saving and different types of pipe depending on the soil types.

City Attorney Bob Sivick explained the procurement process and that council would not be able to award to a specific company. Preferences to local bidders were only if the bids were tied. The contractor would have the decision of where to buy the PVC pipe. Base bids were for PVC pipe with alternatives for fiberglass.

Motion by Nickerson, second by Haase to approve Resolution #2013-146 with the use of PVC Pipe where applicable. Upon roll call vote, all voted aye. Motion adopted.

#2013-147 – Consideration of Approving Bid Award for North Interceptor – Phase I; Project No. 2012-S-6 with Merryman Excavation, Inc. of Woodstock, IL in an Amount of \$8,444,635. Public Works Director John Collins stated this was a continuation of the previous project. WWTP Superintendent Marvin Strong explained the project further.

Motion by Nickerson, second by Haase to approve Resolution #2013-147 with the use of PVC Pipe where applicable. Upon roll call vote, all voted aye. Motion adopted.

#2013-148 – Consideration of Approving Amendment No. 6 to the Agreement for Professional Engineering Services entitled “Wastewater Treatment Plant and Collection System Rehabilitation” with Black & Veatch of Kansas City, MO in an Amount of \$719,617.00 and a Revised Contract of \$4,551,502.00. Manager of Engineering Terry Brown reported that Amendment No. 6 would incorporate compensation for engineering services that were not specifically identified in the original design agreement and add Consulting Engineering Construction Phase Services and Resident Inspection during Construction for the North Interceptor – Phase I Project.

Paul Wicht, 1708 Jerry Drive spoke in opposition.

Motion by Gilbert, second by Dugan to approve Resolution #2013-148. Upon roll call vote, all voted aye. Motion adopted.

#2013-149 – Consideration of Amendment No. 7 to the Agreement for Professional Engineering Services entitled “Wastewater Treatment Plant and Collection System Rehabilitation” with Black & Veatch of Kansas City, MO in an Amount of \$1,878,450.00 and a Revised Contract of \$6,429,952.00. Manager of Engineering Terry Brown reported that Amendment No. 7 would incorporate fee compensation for engineering services that were not specifically identified in the original design agreement and add Consulting Engineering Construction Phase Services and Resident Inspection during Construction and Integration Services for the Headworks Improvements; Project WWTP-2013-1.

Motion by Donaldson, second by Hehnke to approve Resolution #2013-149. Upon roll call vote, all voted aye. Motion adopted.



#2013-150 – Consideration of Declaration of Intent to Issue Bonds for Sanitary Sewer Collection System and Wastewater Treatment Plant Improvements. WWTP Superintendent Marvin Strong reported that our bond underwriter, Ameritas, had advised the City to declare its intention to use bond revenue to fund the capital improvements projects. This would allow bond proceeds to be used for costs of the project prior to the bonds being issued and funds received. The declaration of intent to issue bonds for \$60 million included the \$56,545,747 million for the actual and estimated capital cost of the following projects: South and West Interceptor Rehabilitation; 4<sup>th</sup> and 5<sup>th</sup> Eddy to Vine Rehabilitation; Headworks- North Interceptor Phase I; and North Interceptor Phase II.

Motion by Haase, second by Minton to approve Resolution #2013-150 not to exceed \$60 million. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gericke to approve the Claims for the period of April 24, 2013 through May 14, 2013, for a total amount of \$5,187,417.52. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 10:54 p.m.

RaNae Edwards  
City Clerk