



City of Grand Island

Tuesday, June 25, 2013

Council Session

Item G-1

Approving Minutes of June 11, 2013 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

June 11, 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 June 11, 2013. Notice of the meeting was given in *The Grand Island Independent* on June 5, 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, Julie Hehnke, Mitch Nickerson, Peg Gilbert, John Gericke, Scott Dugan, Mike Paulick, and Vaughn Minton. Councilmember Chuck Haase was absent. 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 Pastor Scott Friesen, Berean Bible Church, 4116 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek reported that at the May 14, 2013 City Council meeting Resolution #2013-134 Approving Bid Award for Lawn Maintenance at the Wastewater Treatment Plant was referred to the June 11, 2013 meeting. This item had been taken care of administratively. (See e-mail below.)

City Attorney Robert Sivick comments on item I-2 Resolution #2013-185. Due to FCC rules the PowerPoint for this item would not be broadcast over GITV due to obscene language.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Lincoln Highway – Grand Island Seedling Mile to the National Register of Historic Places. Mayor Vavricek recognized the Lincoln Highway – Grand Island Seedling Mile as listed in the National Register of Historic Places by the Nebraska State Historical Society and the United States Department of the Interior, National Park Service. Fred Roeser representing the Hall County Historical Society was present to receive the certificate.

Presentation of Police Department Citizen Medal of Honor Award to Brian Rasmussen. Police Chief Steve Lamken presented the Police Department Citizen Medal of Honor Award to Brian Rasmussen for his assistance during a May 6, 2013 accident at the intersection of 3rd & Broadwell. Mr. Rasmussen and his family were present to receive the award.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Two Utility Easements – between 2nd & 3rd Street, and Broadwell & Harrison Streets (CVS Pharmacy). Utilities Director Tim Luchsinger reported that two utility easements located between 2nd & 3rd Street and Broadwell & Harrison Streets were needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines, transformers, water lines and fire hydrants. The 11' wide easement along Broadwell Avenue on the east side of the CVS property would be used to place a public water

line and fire hydrant to provide protection for the new building. The 15' wide easement along Harrison and the west side of the CVS property would be used to place underground conduit, high voltage cable and a pad-mounted transformer to provide electrical service to the new building. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement in Summerfield Estates 5th Subdivision (Little B's Corporation). Public Works Director John Collins reported that a public utility easement was needed in the Summerfield Estates 5th Subdivision in order to allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities for new housing within the area. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way in Summerfield Estates 5th Subdivision (Little B's Corporation). Public Works Director John Collins reported that acquisition of a public right-of-way was needed in the Summerfield Estates 5th Subdivision in order to allow for the realignment of the east end of Warbler Road to conform to the revised preliminary plat. 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 ordinance numbered:

#9432 – Consideration of Vacation of a Portion of Lake Street in Palu 2nd Subdivision
(Brad and Annette Morse)

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 this ordinance 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.

#9432 – Consideration of Vacation of a Portion of Lake Street in Palu 2nd Subdivision
(Brad and Annette Morse)

Public Works Director John Collins reported that property owners Brad and Annette Morse of 523 West Highway 30 had requested the west end of Lake Street in Palu 2nd Subdivision be vacated as this section of roadway was a dead end and would not affect future development of this area. The vacation would allow for the ownership to divest equally to each of the abutting property owners.

Motion by Dugan, second by Donaldson to approve Ordinance #9432.

City Clerk: Ordinance #9432 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 #9432 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 #9432 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-14 was removed for further discussion. Motion by Donaldson, second by Minton to approve the Consent Agenda excluding item G-14. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 28, 2013 City Council Regular Meeting.

#2013-168 – Approving Acquisition of Utility Easement (#1 – NE Corner – Water and Fire Hydrants) between 2nd & 34rd Streets and Broadwell & Harrison Street (CVS Pharmacy).

#2013-169 – Approving Acquisition of Utility easement (#2 – NW Corner – Electrical) between 2nd & 3rd Streets and Broadwell Avenue & Harrison Street (CVS Pharmacy).

#2013-170 – Approving Bid Award for 2014 Truck with 55 Ft. Articulating Overcenter Aerial Device for Line Division, Utilities Dept. with Hansen International Truck, Inc. of Grand Island, NE in an Amount of \$204,439.00, including trade-in.

#2013-171 – Approving Bid Award for Vibration Monitoring Upgrades at Platte Generating Station with Metrix Instrument Company of Houston, TX in an Amount of \$157,294.60.

#2013-172 – Approving Bid Award for Fire Enclosure and Control Room Roof Replacements at Platte Generating Station with Weathercraft Company of Grand Island, NE in an Amount of \$237,094.00.

#2013-173 – Approving 2014 Coal Purchase for Platte Generating Station with Alpha Coal Sales for approximately 300,000 tons from the Belle Ayr Mine.

#2013-174 – Approving a Three-Year Microsoft Licensing Enterprise Agreement with En Pointe Technologies Sales, Inc. in an Amount of \$258,963.12 to be paid in three annual installments of \$86,321.04.

#2013-175 – Approving Microsoft Select Plus Agreement Renewal.

#2013-176 – Approving Concurrence of Bid Award with Nebraska Department of Roads to Van Kirk Sand and Gravel, Inc. of Sutton, NE for the Construction Contract on US-30 Drainage Improvement Project No. URB-30-4(158) in an Amount of \$1,266,133.70.

#2013-177 – Approving Concurrence of Bid Award with Nebraska Department of Roads to The Diamond Engineering Company of Grand Island, NE for the Construction Contract on Walk to Walnut Project No. SRTS-40(57) in an Amount of \$337,104.36.

#2013-178 – Approving Acquisition of Public Utility Easement in Summerfield Estates 5th Subdivision (Little B's Corporation).

#2013-179 – Approving Acquisition of Public Right-of-Way in Summerfield Estates 5th Subdivision (Little B's Corporation).

#2013-180 – Approving Boundaries for Fonner Park Business Improvement District 2013. Community Development Administrator Marco Floreani reported this item was the first step in creating Fonner Park Business Improvement District (BID) 2013 which was formerly BID #4. Discussion was held concerning the boundaries and assessments on partial lots. Mr. Sivick commented on combining the two South Locust BID's #4 and #7. City staff would continue to work on that merger.

Motion by Gilbert, second by Dugan to approve Resolution #2013-180. Upon roll call vote, Councilmembers Minton, Paulick, Dugan, Gericke, Nickerson, Hehnke, Donaldson, and Niemann voted aye. Councilmember Gilbert voted no. Motion adopted.

#2013-181 – Approving Boundaries for South Locust Business Improvement District 2013.

#2013-182 – Approving Boundaries for Second Street Business Improvement District 2013.

#2013-183 – Approving City's Consent to Easement Granted by Fonner Park to Nebraska State Fair Board.

RESOLUTIONS:

#2013-184 – Consideration of Approving Legal Description Correction Concerning Acquisition of Public Right-of-Way for the Moore's Creek Drainway Extension (Eric M. & Kenda D. Pollock). Public Works Director John Collins reported that on November 13, 2012 the City Council approved the acquisition of public right-of-way for the extension of the Moore' Creek Drainway to accommodate the installation of storm sewer. The legal description mistakenly listed the 33' of existing right-of-way in the legal description.

Motion by Dugan, second by Hehnke to approve Resolution #2013-184. Upon roll call vote, all voted aye. Motion adopted.

Councilmember Haase was present at 7:30 p.m.

#2013-185 – Consideration of Resolution Supporting Administration's Efforts to Abate a Public Nuisance. City Attorney Robert Sivick reported that Larry Tourangeau owns property located at 311 East 3rd Street and 319 East 5th Street. Plywood signs had been erected facing the streets which constitute fences running along the length of his properties. The Grand Island City Code prohibits the erection of signs such as these without first obtaining a permit and provides for the removal of these signs. City Administration's desire is to abate this nuisance pursuant to City Code. A PowerPoint of the signs was shown to council.

The following people spoke in support:

- Gary Quandt, 609 West 14th Street
- Lewis Kent, 624 Meves Avenue

Guillermo Pena, 311 East 3rd Street spoke on behalf of Larry Tourangeau. Mentioned was that if the City removed the signs they would put them back up.

Comments were made by Council that it was time to take care of these obscene signs that violated the City Code.

Motion by Donaldson, second by Nickerson to approve Resolution #2013-185. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of May 29, 2013 through June 11, 2013, for a total amount of \$3,580,502.48. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Niemann, second by Paulick to adjourn to Executive Session at 8:03 p.m. for the purpose of a strategy session with respect to collection bargaining (FOP). Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Gilbert, second by Haase to return to Regular Session at 8:53 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:53 p.m.

RaNae Edwards
City Clerk

From: Mary Lou Brown
Sent: Tuesday, June 04, 2013 4:51 PM
To: Electeds
Cc: John Collins
Subject: WWTP lawn maintenance

At a previous council meeting, John Collins was requested to bring back for further discussion the lawn care at the Wastewater Treatment Plant. Below is an email from John where he provides more detail regarding the subject matter. In his email, he indicates he will be moving forward with the hiring of a seasonal employee to perform the maintenance as the work needs to be completed and we are soon half way through the mowing season. John's budget includes the authorization for this person so no further action will be required by council.

Mary Lou

Mary Lou:

The need to address lawn care at Wastewater is urgent, so I intend to use an alternate method rather than return the contract to Council for approval. I discussed this with Bob Sivick and he advised that this is acceptable as long as Council is informed.

There are 13 acres of maintenance intense park like grass at the Wastewater Treatment Plant. This is not only expensive to maintain, but it is undesirable. The Plant is not especially hazardous for an industrial operation, but it is an industrial facility, complete with the level of danger typical of such. Large park like fields are inviting to the public, especially the young.

Two years ago the Wastewater Division was instructed to seek alternate ground cover (slower growing grass, grass/rock, low growth vegetation, etc.) and increase screening on the perimeter (i.e. more trees) to reduce expense and the potential for liability, but no action was taken.

Several issues are straining our available time within the Wastewater Division:

- Initiating several large projects connected to the Wastewater Rehabilitation Program and working to correct problems with older projects so they may be finalized.
- The temporary and permanent loss of several staff members due to retirements, illnesses, family issues and such; including the loss of a key employee leaving for a similar, but much higher paying position with the Utility Department.
- Learning that the NDEQ (Nebraska Department of Environmental Quality) requires that a Class 4 Wastewater Certificated Operator be running the plant at all times. Previous managers had violated this by routinely assigning operators without this certification. Four (4) of the five (5) employees that had left the WWTP this year were Class 4 certified. The remaining Class 4 certified operators are working overtime to make up for the shortage of properly certified staff. We are providing training and assistance to staff to get this certification, but it will take time.

The proposed lawn maintenance contract was not intended to be a change in business practice, to be implemented at any point after discussion and approval, but rather a onetime action to free up staff and get the WWTP through this year. It is not that the time the research and planning required to select the best most cost effective replacement ground cover is excessive, but that other more pressing activities limit staff availability until the fall. Unfortunately the need for lawn maintenance is time sensitive, and nature determines when this work must occur. The purchase order was intended to allow the WWTP to operate until the contract was approved.

The demand on staff time and the need for cutting the grass remain. As we will be deep into mowing season before a contract could be implemented, I do not intend to bring the contract back to Council. Instead I intend to address this by filling the seasonal position to cut and trim. Frequency will be that that the seasonal can handle alone. To retard growth we will eliminate all chemical treatments and reduce watering.

John Collins, P.E.
Grand Island Public Works Director/City Engineer
(308)385-5444