



City of Grand Island

Tuesday, August 27, 2013

Council Session

Item G-2

Approving Minutes of August 13, 2013 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 13, 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 August 13, 2013. Notice of the meeting was given in *The Grand Island Independent* on August 7, 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 Treasurer and Finance Director Jaye Monter, City Attorney Robert Sivick and City Engineer and Public Works Director John Collins.

INVOCATION was given by Councilmember Peg Gilbert followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Hannah Price.

BOARD OF EQUALIZATION: Motion by Dugan, second by Donaldson, carried unanimously to adjourn to the Board of Equalization.

#2013-BE-5 – Determining Revision of Benefits for Water Main District 398T – North Road between Potash Hwy. and Stolley Park Road. Utilities Director Tim Luchsinger reported that the City Council in its capacity as the Board of Equalization was required to determine the benefits for Water Main District No. 398T which was approved in 1992. Two parcels of land had been sold to Chief Industries, Inc. and had been re-platted as Lots 1-4, Chief/Westgate Subdivision. A revision of the benefits for Water Main District 398T in an amount of \$25,882.93 was recommended.

Motion by Nickerson, second by Niemann to approve Resolution #2013-BE-5. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Minton, second by Donaldson carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Public Right-of-Way, Permanent Easements and Temporary Easements for the Capital Avenue – Webb Road to Broadwell Avenue Widening Project (State of Nebraska Department of Administrative Services). Public Works Director John Collins reported that to accommodate the public utilities and a widened roadway along Capital Avenue from Webb Road to Broadwell Avenue it was requested that public right-of-way, two (2) permanent easement areas and five (5) temporary easement areas be acquired from the State of Nebraska. Staff recommended approval. No public testimony was heard.

Public Hearing on Consideration of Creating Five-Year Downtown Business Improvement District 2013. Community Development Administrator Marco Floreani reported that if approved this would create the Downtown Business Improvement District 2013 as allowed by State Statute for five years. Staff recommended approval. No public testimony was heard.

Public Hearing on Consideration of Creating One-Year Second Street Business Improvement District 2013. Community Development Administrator Marco Floreani reported that if approved this would create the Second Street Business Improvement District 2013 as allowed by State Statute for one year. Staff recommended approval. Don Albright, 2405 Parkview Drive spoke in opposition and Bob Dodendorf, 1404 South Harrison spoke in support. No further public testimony was heard.

Public Hearing on Consideration of Creating Three-Year Fonner Park Business Improvement District 2013. Community Development Administrator Marco Floreani reported that if approved this would create the Fonner Business Improvement District 2013 as allowed by State Statute for three years. Staff recommended approval. No public testimony was heard.

Public Hearing on Consideration of Creating Three-Year South Locust Business Improvement District 2013. Community Development Administrator Marco Floreani reported that if approved this would create the South Locust Business Improvement District 2013 as allowed by State Statute for three years. Staff recommended approval. No public testimony was heard.

RESOLUTION:

#2013-270 – Consideration of Authorizing 2013 Sewer System Revenue and Refunding Bonds and Redemption of Series 2003. Finance Director Jaye Monter introduced Bruce Lefler with Ameritas who reported that Series 2013 Sewer System Revenue and Refunding Bonds would replace the Series 2003 Sewer System Revenue and Refunding Bonds at a lower interest rate in an amount not-to-exceed \$40,000,000 to help fund a portion of the capital projects of the Sanitary Sewer System.

Motion by Haase, second by Nickerson to approve Resolution #2013-270. Upon roll call vote, all voted aye. Motion adopted.

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:

- #9434 – Consideration of Authorizing Series 2013 Sewer System Revenue Refunding Bonds
- #9435 – Consideration of Creating Five-Year Downtown Business Improvement District 2013
- #9436 – Consideration of Creating One-Year Second Street Business Improvement District 2013
- #9437 – Consideration of Creating Three-Year Fonner Park Business Improvement District 2013

#9438 – Consideration of Creating Three-Year South Locust Business Improvement District 2013

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.

#9434 – Consideration of Authorizing Series 2013 Sewer System Revenue Refunding Bonds

This item related to the aforementioned Resolution.

Motion by Dugan, second by Minton to approve Ordinance #9434.

City Clerk: Ordinance #9434 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 #9434 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 #9434 is declared to be lawfully adopted upon publication as required by law.

#9435 – Consideration of Creating Five-Year Downtown Business Improvement District 2013

This item related to the aforementioned Public Hearing. Comments were made concerning the BIDs name. City Attorney Bob Sivick explained the notice of publication requirements and changes to the Ordinance regarding assessments to this district. Snow removal on sidewalks and maintenance of parallel streets was explained as part of the BIDs’ responsibility.

Motion by Donaldson, second by Niemann to approve Ordinance #9435.

City Clerk: Ordinance #9435 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 #9435 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 #9435 is declared to be lawfully adopted upon publication as required by law.

Mayor Vavricek turned the meeting over to Council President Niemann and recused himself from Ordinance #9436 due to a conflict of interest which was on file in the City Clerk’s office.

#9436 – Consideration of Creating One-Year Second Street Business Improvement District 2013

This item related to the aforementioned Public Hearing. Chamber of Commerce President Cindy Johnson commented on notification to the property owners. Building Department Director Craig Lewis explained the landscaping requirements and that this district had an impact on CVS Pharmacy coming to Grand Island. Bob Dodendorf, 1404 South Harrison Street commented on the improvements planned for this district next year with regards to the buffalo grass. Project Manager Scott Gripenstroh explained the background of the buffalo grass and the changes planned. Comments were made concerning this as an exit strategy for this BID.

Motion by Gilbert, second by Donaldson to approve Ordinance #9436.

City Clerk: Ordinance #9436 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. Councilmember Paulick abstained. Motion adopted.

City Clerk: Ordinance #9436 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. Councilmember Paulick abstained. Motion adopted.

Council President: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9436 is declared to be lawfully adopted upon publication as required by law.

The meeting was turned over to Mayor Vavricek.

#9437 – Consideration of Creating Three-Year Fonner Park Business Improvement District 2013

This item was related to the aforementioned Public Hearing.

Motion by Dugan, second by Hehnke to approve Ordinance #9437.

City Clerk: Ordinance #9437 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 #9437 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: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9437 is declared to be lawfully adopted upon publication as required by law.

#9438 – Consideration of Creating Three-Year South Locust Business Improvement District 2013

This item related to the aforementioned Public Hearing.

Motion by Dugan, second by Minton to approve Ordinance #9435.

City Clerk: Ordinance #9438 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 #9438 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: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9438 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-21 was pulled for further discussion. Motion by Donaldson, second by Minton to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

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

Approving Minutes of August 6, 2013 City Council Study Session.

Approving Request of Fonner Park Exposition and Events Center, Inc. (Heartland Events Center) for Ratification of Nomination and Election of Board of Directors.

Approving Appointment of Matt Green to Business Improvement District #6 Board.

#2013-253 – Approving Purchase of Portable Radios from Platte Valley Communications of Grand Island, Nebraska in an Amount of \$30,990.00.

#2013-254 – Approving Revision of Connection Fees for Water Main District 398T – North Road between Potash Hwy. and Stolley Park Road.

#2013-255 – Approving Bid Award for Insertable Dust Collectors – Conveyor #2 and #4 at Platte Generating Station from Martin Engineering of Neponset, IL in an Amount of \$65,588.00.

#2013-256 – Approving Bid Award for Ortho-Polyphosphate for Corrosion Control – Utilities Department from Carus Phosphates, Inc. of Peru, IL in an Annual Amount Estimated at \$86,184.00.

#2013-257 – Approving Certificate of Final Completion for Water Main Project 2011-W-4 – Merrick County with Van Kirk Brothers Contracting of Sutton, NE.

#2013-258 – Approving Lease Purchase of a Combination Sewer Cleaner Truck for the Streets Division of the Public Works Department from Nebraska Environmental Products of Lincoln, NE for a Total Repayment Amount of \$323,148.85.

#2013-259 – Approving Acquisition of Utility Easement for Sanitary Sewer District No. 528 – Wildwood Subdivision (Lawney L. Rathman and Mitchell H. Stauffer).

#2013-260 – Approving Temporary Construction Easement for Sanitary Sewer District No. 528 – Wildwood Subdivision (Lawney L. Rathman and Mitchell H. Stauffer).

#2013-261 – Approving Compensation for Temporary Construction Easement Cleanup for Sanitary Sewer District No. 528 – Wildwood Subdivision; Tennant – Plains Irrigation Sales & Service, Inc. of Grand Island, NE in an Amount of \$17,200.00.

#2013-262 – Approving Change Order No. 1 for South and West Interceptor Improvements; Project No. 212-S-4 with SAK Construction, LLC of O’Fallen, MO for a reduction of \$10,395.00 and a Revised Contract Amount of \$730,382.00.

#2013-263 – Approving Certificate of Final Completion for South and West Interceptor Sewer Improvements; Project No. 2012-S-4 with SAK Construction, LLC of O’Fallen, MO.

#2013-264 – Approving Acquisition of Public Right-of-Way, Permanent Easements and Temporary Easements for the Capital Avenue – Webb Road to Broadwell Avenue Widening Project (State of Nebraska Department of Administrative Services).

#2013-265 – Approving Leasehold Agreement for the North Interceptor Phase II, Part B; Sanitary Sewer Project No. 2013-S-4 for a Total Amount of \$100.00 (Gary, Donald and Leroy Houdek).

#2013-266 – Approving Increase to the City’s Share of the US Highway 34 Improvements from US Highway 281 to South Locust Street – NDOR Project No. STP 34-4(126); Control No. 41994 in the Amount of \$14,625.42 and a Revised Contract Amount of \$146,058.50.

#2013-267 – Approving Bid Award for Furnishing and Installation of New Restroom in Stolley Park with Nelson Contracting of Grand Island, NE in an Amount of \$105,800.00.

#2013-268 – Approving Certificate of Final Completion for Construction of a New Lincoln Pool with Hausmann Construction, Inc. of Lincoln, NE.

#2013-269 – Approving Sole Source Purchase of State Bridge Software for the Fire Department from Imagetrend in an Amount of \$22,500 for set-up and first year and \$13,500 per year after. Fire Chief Cory Schmidt reported this item related to software from Imagetrend for EMS and Fire reporting. Explained were the benefits to the Fire Department with this software. Discussion was held regarding cost and how to fund it. Fire Division Chief Russ Blackburn answered questions regarding the sole source software. He stated EMS through the state was with this company.

Motion by Nickerson, second by Niemann to approve Resolution #2013-269. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2013-271 – Consideration of Legal Fee Contribution to Grand Island Chamber of Commerce. This item was pulled from the agenda. City Attorney Bob Sivick stated this item had been pulled because the firm to be hired had changed.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of July 24, 2013 through August 13, 2013, for a total amount of \$7,645,547.95. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:24 p.m.

RaNae Edwards
City Clerk