



# **City of Grand Island**

**Tuesday, October 22, 2013**

**Council Session**

## **Item G-1**

### **Approving Minutes of October 8, 2013 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
October 8, 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 October 8, 2013. Notice of the meeting was given in *The Grand Island Independent* on October 2, 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, Scott Dugan, and Mike Paulick. Councilmembers Vaughn Minton and John Gericke were absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Robert Sivick, City Treasurer and Finance Director Jaye Monter and Engineer and Public Works Director John Collins.

INVOCATION was given by Pastor Scott Taylor, First Christian Church, 2400 West 14<sup>th</sup> Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Diana Molina.

PRESENTATIONS AND PROCLAMATIONS:

Presentation of ICMA Video. City Administrator Mary Lou Brown reported that the city of Grand Island was featured as one of approximately 20 community video productions throughout the United States at the recent national International City/County Management Association (ICMA) conference. Funding for the video was provided by the Edgar and Francis Reynolds Foundation. Presented was the six minute video.

PUBLIC HEARINGS:

Public Hearing on Request from RSI, Inc. dba The Upper Deck, 2110 West 2<sup>nd</sup> Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received from RSI, Inc. dba The Upper Deck, 2110 West 2<sup>nd</sup> Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on September 23, 2013; notice to the general public of date, time, and place of hearing published on September 28, 2013; notice to the applicant of date, time, and place of hearing mailed on September 23, 2013; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

CONSENT AGENDA: Consent Agenda item G-3 was removed for further discussion. Motion by Dugan, second by Nickerson to approve the Consent Agenda excluding item G-3. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of September 24, 2013 City Council Regular Meeting.

#2013-332 – Approving Certificate of Final Completion and Scheduling the Board of Equalization (BOE) for Sidewalk Repair at 1141 Pleasant View Drive with Reimers Construction of Grand Island, NE and a November 12, 2013 BOE Date.

#2013-333 – Approving Change Order No. 1 for the Walk to Walnut Safe Routes to School Project with Diamond Engineering Company of Grand Island, NE for an Increase of \$39,159.41 and a Revised Contract Amount of \$376,263.77. Public Works Director John Collins reported Change Order No. 1 would allow concrete repair along Custer Street.

The following people spoke in opposition to a turning lane and no parking on Walnut Street:

- Pam Penas, 1507 North Custer
- Brian Gates, 1702 North Taylor
- Gloria Gates, 2315 West 15<sup>th</sup> Street
- Richard Schneider, 1511 North Custer

City Attorney Robert Sivick questioned whether the discussion was germane to the agenda item.

Motion by Haase, second by Paulick to refer this item to the October 22, 2013 City Council meeting. Motion was withdrawn.

City Administrator Mary Lou Brown suggested a review of the Walk to Walnut Project be brought back before Council at their October 22, 2013 Council meeting.

Motion by Gilbert, second by Niemann to approve Resolution #2013-333. Upon roll call vote, Councilmembers Dugan, Gilbert, Nickerson, Hehnke, Haase, Donaldson, and Niemann voted aye. Councilmember Paulick voted no. Motion adopted.

#2013-334 – Approving COPS Hiring Grant.

#### RESOLUTIONS:

#2013-335 – Consideration of Request from RSI, Inc. dba The Upper Deck, 2110 West 2<sup>nd</sup> Street for a Class “C” Liquor License and Liquor Manager Designation for Gary Phillips, 4309 Quail Lane. This item related to the aforementioned Public Hearing.

Motion by Niemann, second by Donaldson to approve Resolution #2013-335 contingent upon final inspections and completion of a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2013-336 – Consideration of Approving Wastewater Rates for Non-Resident. Public Works Director John Collins reported that on September 24, 2013 City Council approved new wastewater rates. Council directed staff to present an increased rate for non-resident customers. There were five suburban sanitary sewer accounts being served by the Wastewater Treatment Plant. Staff recommended charging 20% over the rate for non-resident water customers.

Discussion was held regarding the reasons to approve the non-resident rate. Councilmembers Nickerson and Paulick stated they opposed the rate increase.

Motion by Gilbert, second by Dugan to approve Resolution #2013-336. Upon roll call vote, Councilmembers Dugan, Gilbert, Hehnke, Haase, Donaldson, and Niemann voted aye. Councilmembers Paulick and Nickerson voted no. Motion adopted.

#2013-337 – Consideration of Approving Appointments to the Citizens Advisory Review Committee. Mayor Vavricek submitted the appointments of: Bruce Lux, Ray O'Connor, Mark Stelk, and Lisa Willman to expire on September 30, 2014 and Dehn Renter, Craig Vincent, and Tim White to expire on September 30, 2015. Mayor Vavricek gave a brief bio on each committee member.

Motion by Niemann, second by Paulick to approve Resolution #2013-337. Upon roll call vote, all voted aye. Motion adopted.

#2013-338 – Consideration of Approving an Agreement with the Grand Island Area Chamber of Commerce. Mayor Vavricek reported that in order to retain the confidentiality required as the potential for litigation was continued to be researched in retaining the Grand Island Veterans Home, it was recommended by Don Dunn from the Rembolt Ludthke firm that an agreement between the Chamber and the City be completed. Mr. Sivick answered questions concerning the agreement.

Motion by Paulick, second by Niemann to approve Resolution #2013-338. Upon roll call vote, all voted aye. Motion adopted.

#2013-310 – Consideration of Authorizing the Legal Department to Acquire Certain Real Estate through Eminent Domain. City Attorney Bob Sivick reported that over the last few months the Legal and Public Works Departments had attempted to purchase approximately eighty acres of pasture land located north of Eagle Scout Lake along Highway 2 for a detention cell. An attempt to negotiate a purchase price for the property had been made, but the owner held fast in his demand for a price per acre far in excess of fair market value. City legal staff rejected his demand. It was recommended that the City Council authorize the Legal Department to acquire the real estate through the City's power of eminent domain.

Motion by Dugan, second by Donaldson to approve Resolution #2013-310. 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 September 25, 2013 through October 8, 2013, for a total amount of \$4,292,986.78. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:21 p.m.

RaNae Edwards  
City Clerk