



City of Grand Island

Tuesday, November 12, 2013

Council Session

Item G-1

Approving Minutes of October 22, 2013 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
October 22, 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 22, 2013. Notice of the meeting was given in *The Grand Island Independent* on October 16, 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, City Treasurer and Finance Director Jaye Monter and Engineer and Public Works Director John Collins.

INVOCATION was given by Pastor Scott Jones, Third City Christian Church, 4100 West 13th Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Hannah Sugita.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Grand Island Senior High Girls Golf Team for Class "A" State Championship. The Mayor and City Council recognized the Grand Island Senior High Girls Golf Team for their Class "A" state championship on October 15, 2013 at the Norfolk Country Club in Norfolk, NE. The Girls Golf Team and Coach Kelli Jeffries were present for the recognition.

Proclamation "Project Homeless Connect Day" October 24, 2013. Mayor Vavricek proclaimed October 24, 2013 as "Project Homeless Connect Day". Melissa DeLaet, Executive Director with Hope Harbor and staff were present to receive the proclamation.

Recognition of United Veterans Honor Guard. The Mayor and City Council recognized the service of the United Veterans Honor Guard. Present for the recognition were: Commander Richard Simpson, Vern Hill, Larry McAhren, Jim Breitman and Lloyd Mader.

PUBLIC HEARINGS:

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

Public Hearing on Declaration of a Site Known as Redevelopment Area 13 Located North of Phoenix Avenue and West of Lincoln Avenue. Regional Planning Director Chad Nabity reported that Gary Jacobsen commissioned a Blighted and Substandard Study for proposed Redevelopment Area No. 13 located north of Phoenix Avenue and west of Lincoln Avenue containing approximately 2.16 acres. Staff recommended approval. No public testimony was heard.

The meeting was turned back over to Mayor Vavricek.

Public Hearing on Acquisition of Drainage Easements in Copper Creek Estates Third and Fourth Subdivision (The Guarantee Group, LLC). Public Works Director John Collins reported that acquisition of drainage easements were needed to be dedicated between Copper Creek Estates Third Subdivision and Copper Creek Estates Fourth Subdivision to allow for further development of the area. 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:

- #9456 – Consideration of Authorization to Issue 2013 Electric Department Revenue Bonds
- #9457 – Consideration of Creation of Drainage Improvement District No. 2013-D-4; Westgate Subdivision
- #9458 – Consideration of Amending Chapter 22-141.1 of the Grand Island City Code Relative to Front Yard Parking

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.

- #9456 – Consideration of Authorization to Issue 2013 Electric Department Revenue Bonds

Utilities Director Tim Luchsinger reported that in order to achieve long-term compliance for the Mercury and Air Toxics Standards (MATS) at the Platte Generating Station in the next three to four years it was necessary to authorize the issuance of the Electric System Revenue Bonds, Series 2013 in an amount not-to-exceed \$47,000,000. Bruce Lefler representing Ameritas was present and stated they were scheduled to market the bonds next week. The bond issue would be approximately \$41,000,000.

Motion by Gilbert, second by Haase to approve Ordinance #9456.

City Clerk: Ordinance #9456 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 #9456 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 #9456 is declared to be lawfully adopted upon publication as required by law.

#9457 – Consideration of Creation of Drainage Improvement District No. 2013-D-4; Westgate Subdivision

Public Works Director John Collins reported that property owners on the north half of Gold Road east to Claude Road had signed a district creation petition to create Drainage Improvement District No. 2013-D-4 in the Westgate Subdivision.

Motion by Minton, second by Donaldson to approve Ordinance #9457.

City Clerk: Ordinance #9457 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 #9457 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 #9457 is declared to be lawfully adopted upon publication as required by law.

#9458 – Consideration of Amending Chapter 22-141.1 of the Grand Island City Code Relative to Front Yard Parking

Police Chief Steve Lamken reported that City Code 22-141.1, Parking in the Front Yards was in conflict with City Code Chapter 36 which established requirements for off street parking. The proposed amended ordinance would eliminate the use of gravel or crushed rock in creating front yard parking.

Discussion was held regarding the number of parking stalls for each residence. Building Department Director Craig Lewis explained the zoning code with regards to front yards. He stated the proposed changes would start from this date forward and would not affect those properties currently having gravel or crushed rock as they would be grandfathered in. If there were changes to those properties then they would have to abide by the new law.

Motion by Gilbert, second by Niemann to approve Ordinance #9458.

City Clerk: Ordinance #9458 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 #9458 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 #9458 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Donaldson, second by Niemann to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of October 8, 2013 City Council Regular Meeting.

#2013-339 – Approving Final Plat and Subdivision Agreement for Copper Creek Estates Fifth Subdivision. It was noted that The Guarantee Group, LLC, owner had submitted the final Plat and Subdivision Agreement for Copper Creek Estates Fifth Subdivision for the purpose of creating 20 lots located west of Cherokee Avenue S and south of Old Potash Highway containing 5.644 acres.

#2013-340 – Approving Bid Award for 2014 Truck with 60 Foot Articulating Overcenter Aerial Device with 17 Foot Elevator Lift (Unit #69) – Line Division with Altec Industries, Inc. of St. Joseph, MO in an Amount of \$298,227.00.

#2013-341 – Approving Amendment #1 to the Contract for Phelps Control Center Architectural Services with Webb & Company Architects, Inc. of Grand Island, NE in an Amount of \$96,500.00.

#2013-342 – Approving Transformer Maintenance & Testing Services with Solomon Corporation of Solomon, KS in an Amount of \$149,996.88.

#2013-343 – Approving Acquisition of Drainage Easements in Copper Creek Estates Third and Fourth Subdivision (The Guarantee Group, LLC).

#2013-344 – Approving Change Order No. 2 for the Walk to Walnut Safe Routes to School Project with the Diamond Engineering Company of Grand Island, NE for an Increase of \$7,794.90 and a Revised Contract Amount of \$384,058.67.

#2013-345 – Approving Bid Award for Snow Removal Services for the 2013/2014 Winter Season (Street Division) with the Diamond Engineering Company of Grand Island, NE in an Amount of \$120.00 per hour – Trucks for Hauling Snow; \$165.00 per hour – Front End Loaders; and \$175.00 per hour – Motor Graders.

#2013-346 – Approving Renewal of Long Term Disability Policy with CIGNA Group Insurance in an Amount of \$.18 per \$100 of Wages.

RESOLUTIONS:

Mayor Vavricek turned the meeting over to Council President Niemann and recused himself from Resolution #2013-347 due to a conflict of interest which was on file in the City Clerk's office.

#2013-347 – Consideration of Approving Declaration of a Site Known as Redevelopment Area 13 Located North of Phoenix Avenue and West of Lincoln Avenue This item related to the aforementioned Public Hearing.

Councilmember Nickerson recused himself from the discussion and vote due to a conflict of interest.

Concerns were mentioned regarding the western portion of the property that was not annexed into the city. Mr. Nabity stated this was not a part of the County Industrial tract and the area not in the city limits could not be used for Tax Increment Financing (TIF) until it was annexed.

Concerns were mentioned by Council that because a building was under construction on the western portion of the property this should not be considered as blighted and substandard. Discussion was held concerning bringing this item back without the western portion of land that was not annexed.

Motion by Dugan, second by Minton to approve Resolution #2013-347. Upon roll call vote, Councilmember Niemann voted aye. Councilmembers Minton, Paulick, Dugan, Gericke, Gilbert, Hehnke, Haase, and Donaldson voted no. Motion failed.

The meeting was turned back over to Mayor Vavricek.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of October 9, 2013 through October 22, 2013, for a total amount of \$6,390,601.71. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Niemann, second by Hehnke to adjourn to Executive Session at 8:10 p.m. for the purpose of a strategy session with respect to pending litigation. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Dugan, second by Gilbert to return to Regular Session at 8:49 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:49 p.m.

RaNae Edwards
City Clerk