



# City of Grand Island

Monday, December 22, 2014

Council Session

## Item G-1

### Approving Minutes of December 9, 2014 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

December 9, 2014

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 December 9, 2014. Notice of the meeting was given in *The Grand Island Independent* on December 3, 2014.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Linna Dee Donaldson, Julie Hehnke, Mitch Nickerson, Peg Gilbert, John Gericke, Mark Stelk, 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, Treasurer and Finance Director Jaye Monter, City Attorney Robert Sivick, and City Engineer and Public Works Director John Collins.

INVOCATION was given by Pastor Gary Schulte, Evangelical Free Church, 2609 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council members Marlena Ramirez, Allie Richardson, and Diego Tum-Monge.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Service of Councilmember John Gericke. Mayor Vavricek presented Councilmember John Gericke with a plaque and recognized his service to the community as Councilmember for Ward 5.

Recognition of Service of Councilmember Peg Gilbert. Mayor Vavricek presented Councilmember Peg Gilbert with a plaque and recognized her service to the community as Councilmember for Ward 2.

Recognition of Service of Jaye Monter Finance Director. Mayor Vavricek presented Finance Director Jaye Monter with a plaque and recognized her service to the community as City Treasurer/Finance Director. Ms. Monter thanked the City for the opportunity to serve as Finance Director.

Recognition of Service of Mary Lou Brown City Administrator. Mayor Vavricek presented City Administrator Mary Lou Brown with a plaque and recognized her service to the community as City Administrator. Ms. Brown appreciated the leadership and fantastic employees of the City of Grand Island and would take many wonderful memories with her. She stated she would return to Colorado and go into retirement.

SPECIAL ITEMS:

Approving Minutes of November 25, 2014 City Council Regular Meeting. Motion by Gericke, second by Minton to approve the minutes of the November 25, 2014 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

Approving Payment of Claims for the Period of November 26, 2014 through December 9, 2014. Motion by Donaldson, second by Hehnke to approve the payment of claims for the period of November 26, 2014 through December 9, 2014 for a total amount of \$8,586,397.15. Unanimously approved.

Acceptance of Election Certificate: Motion by Gilbert, second by Gericke to accept the Election Certificate for the November 4, 2014 General Election. Upon roll call vote, all voted aye. Motion adopted.

Comments by Outgoing Elected Official Councilmember John Gericke: Councilmember Gericke thanked the people of Ward 4 and stated it was an exciting time to serve. Mentioned were several projects that had been completed over his four year term.

Comments by Outgoing Elected Official Councilmember Peg Gilbert: Councilmember Gilbert commented on the new direction of Grand Island and the new leadership. She thanked the citizens of Grand Island for their support along with the citizens from Ward 2. Also thanked were the colleagues on the Council, past and present, city staff, and her family.

Comments by Outgoing Elected Official Mayor Jay Vavricek: Tom O'Neill, 2017 Barbara Avenue thanked the outgoing officials for their service. Mayor Vavricek reflected on eight years of public service and the last four years of work. He stated there were 185 meetings and countless study session topics. He thanked the people of Grand Island, City Council, city staff, and family. Mentioned were the highlights of the last four years.

Recess: Motion by Gilbert, second by Paulick to recess at p.m. 7:38 p.m. for the transition to the new governing body. Upon roll call vote, all voted aye. Motion adopted.

Council reconvened at 7:48 p.m.

Administration of Oath to Newly Elected Mayor and Councilmembers: City Clerk RaNae Edwards administered the Oath of Office to newly elected Mayor Jeremy Jensen. Ms. Edwards then administered the Oath of Office to newly elected Councilmembers Roger Steele – Ward 2 and Michelle Fitzke – Ward 5 and returning Councilmember's Vaughn Minton – Ward 1, Mitchell Nickerson – Ward 4 and Linna Dee Donaldson – Ward 3.

Seating of Newly Elected Councilmembers followed by Roll Call: The following members were present: Mayor Jeremy Jensen, Councilmembers Mitch Nickerson, Mark Stelk, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. Councilmember Chuck Haase was absent.

Comments by Newly Elected Officials:

Councilmember's Roger Steele, Michelle Fitzke, Mitch Nickerson, Linna Dee Donaldson and Vaughn Minton each thanked the citizens of Grand Island for the opportunity to represent them. They also thanked their families, friends and looked forward to moving forward.

Mayor Jensen acknowledged his family and their support. He stated he was humbled and excited to be here.

Election of City Council President: City Clerk RaNae Edwards reported that the City Council was required to elect one Councilmember to the office of Council President for a term of one year and that the Council President automatically assumed the duties of the Mayor in the event that the Mayor was absent or otherwise unable to fulfill his duties. Nebraska law allows the election of the Council President to be by secret ballot. The total number of votes for each candidate; however, must be stated and recorded in the Minutes. Past practice has included a run-off election between the top two nominees, if necessary. The City Clerk prepared and distributed ballots.

Councilmember Minton nominated Councilmember Nickerson. Councilmember Hehnke nominated Councilmember Donaldson. There were no further nominations.

City Clerk RaNae Edwards called for the first ballot. It was reported that Councilmember Donaldson had received 5 votes and Councilmember Nickerson had received 3 votes. Mayor Jensen cast the sixth and deciding vote for Councilmember Donaldson. Mayor Jensen declared Councilmember Donaldson the new Council President for 2015.

#### PUBLIC HEARINGS:

Public Hearing on Request from Estanislao LLC dba La Cocina Mexican Restaurant, 2418 N. Webb Road, Suite A for a Class "I" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "I" Liquor License had been received from Estanislao LLC dba La Cocina Mexican Restaurant, 2418 N. Webb Road, Suite A. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on November 13, 2014; notice to the general public of date, time, and place of hearing published on December 3, 2014; notice to the applicant of date, time, and place of hearing mailed on November 13, 2014; along with Chapter 4 of the City Code. Staff recommended denial based on the Police Department report of a false application, character and reputation issues with Gemelo Mario Leon-Garcia, spouse of Gabrielle Gutierrez – Liquor Manager applicant, along with hidden ownership. Gemelo Mario Leon-Garcia and Gabrielle Gutierrez were present to speak in support. No further public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement for Hall County Sanitary Sewer District 2 (SID 2) [Dale L. Bockmann]. Public Works Director John Collins reported that acquisition of a public utility easement was needed for the Hall County Sanitary Sewer District 2. The easement would allow for construction, operation, maintenance, extension, repair, replacement and removal of public utilities within the easement. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

#9513 - Consideration of Vacation of Utility Easement in Lot One (1) and Lot Two (2), Elder 4th Subdivision

#9514 - Consideration of Creation of Water Main District 467T - Engleman Road from Old Potash Highway, South for One-Half (1/2) Mile

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 aye. Motion adopted.

Utilities Director Tim Luchsinger reported that Ordinance #9513 would vacate a utility easement across Lots One (1) and Lot Two (2) in Elder 4<sup>th</sup> Subdivision. He stated this easement was no longer needed by the City and the property owner had requested it be vacated.

Ordinance #9514 would create Water Main District 467T along Engleman Road from Old Potash Highway, south for 1/2 mile. The construction was the first phase to complete the westerly loop of the water system and would provide future development and fire protection for this portion of the City. The district would be constructed as a tap district where fees would not be collected until the user connects to the main.

Motion by Paulick, second by Hehnke to approve Ordinances #9513 and #9514.

City Clerk: Ordinances #9513 and #9514 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9513 and #9514 on second and final reading. All those in favor of the passage of these ordinances on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9513 and #9514 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent agenda item G-7 (#2014-366) was pulled from the agenda for further discussion. Motion by Paulick, second by Hehnke to approve the Consent Agenda excluding item G-7 (#2014-366). Upon roll call vote, all voted aye. Motion adopted.

#2014-360 - Approving Surety Bonds for Mayor and City Councilmembers.

#2014-361 - Approving City Council Meeting Schedule for 2015.

#2014-362 - Approving Change Order #1 with Meylan Enterprises, Inc. of Omaha, NE for Precipitator, Bottom Ash and Boiler Industrial Cleaning at Platte Generating Station for an Increase of \$9,931.74 and a Revised Contract Amount of \$129,536.34.

#2014-363 - Approving Temporary Construction Easements for South Blaine Street Bridge Replacements; Project No. 2014-B-1 (Country Club Holding Association, LLC).

#2014-364 - Approving Acquisition of Public Utility Easement for Hall County Sanitary Sewer District 2 (SID 2) [Dale L. Bockmann].

#2014-365 - Approving Temporary Construction Easement for the North Interceptor Phase II; Sanitary Sewer Project No. 2013-S-4 (Ummel & Spiehs).

#2014-366 - Approving Request from the GRACE Foundation for Permission to Use City Streets and State Highway for a 10K Race and 2-Mile Family Fun Run. Executive Director for Race for GRACE Angie Ziller, 324 West 18<sup>th</sup> Street spoke in support. Discussion was held regarding insurance for special events. It was requested that the special events insurance issue be brought back to the December 22, 2014 City Council meeting for further review.

Motion by Donaldson, second by Nickerson to approve Resolution #2014-366. Upon roll call vote, all voted aye. Motion adopted.

#2014-367 - Approving State Bid Award for (1) 2015 Dodge Grand Caravan for the Parks & Recreation Department with Lincoln Dodge Inc. of Lincoln, NE in an Amount of \$21,543.00.

#2014-368 - Approving Bid Award for George Park Sidewalk/Trail Project for the Parks & Recreation Department with Diamond Engineering Company of Grand Island, NE in an Amount of \$86,444.35.

#2014-369 - Approving the following State Contract Purchases for Police Department Vehicles:

- 3 Ford TPI sedans / Sid Dillon Ford - State award #14148. \$ 26,552.00 ea.
- 3 Ford Expeditions / Anderson Ford - State award #1415. \$ 31,254.00 ea.
- 2 Ford PUV SUVs / Anderson Ford - State award #14128. \$27,220.00 ea.
- 2 Ford Fusion sedans / Anderson Ford – State award #14117. \$17,517.00 ea.
- 1 Dodge Pickup truck / Roy’s Grand Dodge – Quote - \$ 17,689.00 ea.

for a total cost of \$ 280,581.00.

RESOLUTIONS:

#2014-370 - Consideration of Request from Estanislao LLC dba La Cocina Mexican Restaurant, 2418 N. Webb Road, Suite A for a Class “I” Liquor License and Liquor Manager Designation for Gabriella Gutierrez, 112 West 1st Street, McCook, NE. This item was related to the aforementioned Public Hearing.

Motion by Donaldson, second by Minton to deny Resolution #2014-370 based on the Police Department report of a false application, character and reputation issues with Gemelo Mario Leon-Garcia, spouse of Gabrielle Gutierrez – Liquor Manager applicant, along with hidden ownership. Upon roll call vote, all voted aye. Motion adopted.

#2014-371 - Consideration of Approving Appointment of City Clerk RaNae Edwards MMC. Mayor Jensen reported he was submitting the appointment of RaNae Edwards MMC as City Clerk to coincide with the Mayor's term of office.

Motion by Paulick, second by Hehnke to approve Resolution #2014-371. Upon roll call vote, all voted aye. Motion adopted.

#2014-372 - Consideration of Approving Appointment of City Engineer/Public Works Director John Collins P.E. Mayor Jensen reported he was submitting the appointment of John Collins P.E. as City Engineer/Public Works Director to coincide with the Mayor's term of office.

Motion by Hehnke, second by Minton to approve Resolution #2014-372. Upon roll call vote, all voted aye. Motion adopted.

#2014-373 - Consideration of Approving Appointment of Interim Treasurer/Finance Director William Clingman. Mayor Jensen reported he was submitting the appointment of William Clingman as Interim City Treasurer/Finance Director until such time as another appointment was made.

Motion by Stelk, second by Paulick to approve Resolution #2014-373. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:32 p.m.

RaNae Edwards  
City Clerk