



City of Grand Island

Tuesday, August 14, 2007

Council Session

Item G1

Approving Minutes of August 7, 2007 City Council Special Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL REGULAR MEETING

August 7, 2007

Pursuant to due call and notice thereof, a Special 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 7, 2007. Notice of the meeting was given in *The Grand Island Independent* on August 1, 2007.

Mayor Margaret Hornady called the meeting to order at 7:00 p.m. The following City Council members were present: Councilmember's Brown, Haase, Zapata, Nickerson, Gericke, Carney, Gilbert, Whitesides, Niemann, and Meyer. The following City Officials were present: City Clerk RaNae Edwards, City Attorney/Interim City Administrator Dale Shotkoski, Finance Director David Springer, and Public Works Director Steve Riehle.

INVOCATION was given by Father Richard Piontkowski, St. Mary's Catholic Church, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady announced that Jackie Pielstick was receiving the La Von Crosby Policy Award posthumously from Project Extra Mile this week.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation August 12-18, 2007 "The Week in Which the City Will Posthumously Honor Jackie Pielstick". The Mayor has proclaimed the week of August 12-18, 2007 as "The Week in Which the City Will Posthumously Honor Jackie Pielstick". Lex Ann Roach formerly with Project Extra Mile was present to receive the proclamation. Also present in the audience was Jackie Pielstick's family.

PUBLIC HEARINGS:

Public Hearing on Proposed FY 2006-2007 City Single Budget. David Springer, Finance Director reported that Council needed to conduct a public hearing to take information from the citizens of Grand Island on the proposed FY 2007-2008 City Single Budget. A Special Budget meeting would be held on August 14, 2007 and August 15th and 16th if needed, followed by adoption of the budget and lid limit increase on August 28, 2007. Mark Galvan, 584 East 20th Street requested that money be put back in the budget for lights at the Senior High Softball Complex. No further public testimony was heard.

ORDINANCES:

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

#9130 – Consideration of Repealing Ordinance No. 9090 Creating Sewer Connection District #522T

#9131 – Consideration of Vacation of Easement at 3003 Frontage Road

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 first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Haase second the motion. Upon roll call vote, all voted aye. Motion adopted.

Wes Nespor, Assistant City Attorney reported that Ordinance #9130 would repeal Ordinance #9090 which created Sewer Connection District #522T to serve the military helicopter facility at the Hall County Airport. The tap district was not feasible because of the inability to “tap” into this type of main. Later in the meeting Council would be asked to approve Resolution #2007-181 allowing for the construction of sanitary main, lift station, forced main, and appurtenances along with Resolution #2007-182 for an Interlocal Agreement with the Hall County Airport Authority.

Steve Riehle, Public Works Director reported that Ordinance #9131 would vacate a public utility easement at 3003 Frontage Road that was not needed and would interfere with the proposed development.

Motion by Whitesides, second by Haase to approve Ordinances #9130 and #9131.

City Clerk: Ordinances #9130 and #9131 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 #9130 and #9131 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9130 and #9131 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-10 was removed for further discussion. Motion by Gilbert, second by Brown to approve the Consent Agenda excluding item G-10. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of July 24, 2007 City Council Regular Meeting.

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

#2007-177 – Approving Bid Award for SCBA Equipment with Heiman Fire Equipment of Ashton, Iowa in an Amount of \$76,948.57; Municipal Emergency Services, Inc. of Fremont, Nebraska in an Amount of \$441,077.00; and TSI Incorporated of St. Paul, Minnesota in an Amount of \$30,450.00 for a Total Amount of \$548,475.57. It was noted that grant funds would be used with 80% being paid by federal funds and 20% by local funds.

#2007-178 – Approving Annual Agreements for Support, License, Operating System and Database Administration with MUNIS, Inc. in an Amount of \$118,589.94.

#2007-179 – Approving Expansion of Police Department Telephone System with Business Telecommunication Systems, Inc. of Grand Island, Nebraska in an Amount not to exceed \$32,095.00.

#2007-180 – Approving Change Order No. 13 with Chief Construction of Grand Island, Nebraska for Law Enforcement Center for an Increase of \$37,980.90 and a Revised Contingency Amount of \$88,327.60.

#2007-181 – Approving Construction of Sanitary Main, Lift Station, Forced Main, and Appurtenances Located East of Sky Park Road to the Army Aviation Support Facility and to Improve Sewer Line for New Construction on Sky Park Road.

#2007-182 – Approving Interlocal Agreement with Hall County Airport Authority for Infrastructure Construction for Army Aviation Support Facility.

#2007-183 – Approving Setting August 28, 2007 as Board of Equalization Date for Annual Mowing Assessments.

#2007-185 – Approving Bid Award for Street Improvement Project 2007-P-5, Intersection of 10th Street and Adams Street/Broadwell Avenue with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$73,102.72.

#2007-186 – Approving Storm Water Management Plan Program Grant Application through the Nebraska Department of Environmental Quality.

#2007-184 – Approving Contract with Internal Medical Associates of Grand Island, Nebraska for Fire Department Physical Exams not to exceed \$17,711.00. Wes Nespor, Assistant City Attorney reported that last year a request for bids for physical fitness testing for the Grand Island Fire Department was issued with one proposal submitted by the Internal Medical Associates. A proposal was submitted this year as a sole source vendor from Internal Medical Associates.

Scott Kuehl, 1419 Independence Avenue and John Mayer, 4059 Horseshoe Place, Grand Island Firefighters commented about concerns of eliminating several of the tests from this proposal. They requested that the current testing stay the same.

Motion was made by Whitesides, second by Gilbert to approve Resolution #2007-184.

Discussion was held concerning the elimination of some testing due to the IAFF Union negotiations. City Attorney Dale Shotkoski explained the Commission on Industrial Relations (CIR) ruling. The last best offer by the City included heart and lung testing only. Comments were made concerning the Wellness Program passed at the last regular meeting which would cover some of these test. It was stated that each employees health insurance would cover the rest.

Motion was made by Meyer, second by Gericke to amend the motion to approve the plan prior to the CIR ruling. This motion was considered out of order and not voted on.

Upon roll call vote of the original motion, Councilmember's Brown, Haase, Zapata, Nickerson, Carney, Gilbert, Whitesides, and Niemann voted aye. Councilmember's Gericke and Meyer voted no. Motion adopted.

RESOLUTIONS:

#2007-187 – Approving Full Time Equivalents (FTE's) for Fiscal Year 2007-2008. David Springer, Finance Director reported that at the June 19, 2007 City Council Study Session, staff presented requests for FTE's. Costs concerns were expressed by council and administration responded by scaling back the request by five FTE's. The revised request was for 7.27 FTE's and \$260,844.00 city-wide.

Discussion was held on the Wireworker II position. Tim Luchsinger, Assistant Utilities Director at PGS explained the duties of this position and its importance to the department. Steve Paustian, Parks and Recreation Director commented on the possible increase of hours of operation and increased revenue at the Heartland Public Shooting Park with the additional FTE. Staff expected no further increase in FTE's for the next 5 years unless the park was very successful requiring additional employees. Steve Fosselman, Library Director commented on the benefits of one full time employee versus two part-time employees.

Motion by Nickerson, second by Whitesides to approve Resolution #2007-187. Upon roll call vote, Councilmember's Brown, Haase, Zapata, Nickerson, Carney, Gilbert, Whitesides, Niemann, and Meyer voted aye. Councilmember Gericke voted no. Motion adopted.

#2007-188 – Approving Settlement Agreement Relative to the Howard Maxon Litigation. Dale Shotkoski, City Attorney reported that a mediation settlement conference was held on July 23, 2007 with both parties expressing their desire to end all disputes concerning the termination of Mr. Maxon. A settlement amount of \$325,000 was agreed upon with the first payment of \$95,000 due October 1, 2007 and eight remaining semi-annual payments of \$28,750 on January 1st and July 1st of each year until paid in full.

Motion by Meyer, second by Whitesides to approve Resolution #2007-188. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Brown, second by Haase to approve the Claims for the period of July 25, 2007 through August 7, 2007, for a total amount of \$1,295,339.53. Motion adopted unanimously.

Motion by Brown, second by Haase to approve the Claim submitted by Howard Maxon in an amount of \$325,000 with the first payment of \$95,000 due October 1, 2007 and eight remaining semi-annual payments of \$28,750 on January 1st and July 1st of each year until paid in full. Motion adopted unanimously.

OTHER ITEMS:

Motion by Meyer, second by Whitesides to adjourn to executive session at 8:25 p.m. for the purpose of discussing Rod Thomas Litigation and AFSCME Union Negotiations. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION:

Motion by Meyer, second by Whitesides to return to regular session at 9:40 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:40 p.m.

RaNae Edwards
City Clerk