



City of Grand Island

Tuesday, September 25, 2007

Council Session

Item G1

Approving Minutes of September 11, 2007 City Council Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

September 11, 2007

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 September 11, 2007. Notice of the meeting was given in *The Grand Island Independent* on September 5, 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: Interim City Administrator/City Attorney Dale Shotkoski, City Clerk RaNae Edwards, Finance Director David Springer, and Assistant Public Works Director Bud Buettner.

INVOCATION was given by Interim Pastor Harold Stromer, Messiah Lutheran Church, 708 North Locust Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady acknowledged Community Youth Council members Sam Bolton and Laura Wirth along with CYC Board member Officer Buthe Hurst.

ADJOURN TO BOARD OF EQUALIZATION: Motion by Gilbert, second by Nickerson, carried unanimously to adjourn to the Board of Equalization.

#2007-BE-5 – Consideration of Determining Benefits for Business Improvement District #3. David Springer, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #3. Special assessments were for the amount of \$42,260.29.

#2007-BE-6 – Consideration of Determining Benefits for Business Improvement District #4. David Springer, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #4. Special assessments were for the amount of \$22,174.87.

#2007-BE-7 – Consideration of Determining Benefits for Business Improvement District #6. David Springer, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #5. Special assessments were for the amount of \$80,004.04.

Motion by Meyer, second by Brown to approve Resolutions #2007-BE-5, #2007-BE-6 and #2007-BE-7. Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request from Melodee Anderson for a Conditional Use Permit for a Temporary Modular Office Located at 3515 West Old Potash Highway. Craig Lewis, Building Department Director reported that Melodee Anderson requested a conditional use permit to allow for the placement of a temporary modular office building to facilitate operation of a sales office during renovations of the existing building currently on the site located at 3515 West Old Potash Highway. Mr. Lewis recommended approval with the following stipulations: 1) the conditional use permit shall expire within a one year period or within 30 days of the completion of the renovation of the existing building on the site, which ever occurs first, and; 2) the exact location shall be approved by the City Fire and Building Departments prior to placement. No public testimony was heard.

Public Hearing on Request from Randy & Cynthia Evans for a Conditional Use Permit for a Temporary Car Dealership Office Located at 1407 West 2nd Street. Craig Lewis, Building Department Director reported that Randy & Cynthia Evans requested a conditional use permit to allow for the placement of a temporary office building to facilitate operations of the existing car dealership during removal of existing buildings and the construction of a new building and facilities located at 1407 West 2nd Street. Mr. Lewis recommended approval with the following stipulation: the conditional use permit will expire within one year or within 30 days of the completion of a permanent facility, which ever occurs first. Attorney Ralph Bradley, representing Randy & Cynthia Evans spoke in support. No public testimony was heard.

Public Hearing on Request from Olsson & Associates for a Conditional Use Permit for a Temporary Soil Vapor Extraction Trailer Located at 373 North Vine Street. Craig Lewis, Building Department Director reported that Olsson & Associates requested a conditional use permit to allow for the temporary placement of a vapor extraction trailer to facilitate the removal of free phase petroleum from groundwater at the location of 373 North Vine Street. Mr. Lewis recommended approval for a two year period of time. No public testimony was heard.

Public Hearing on General Property, Parking District #2 (Ramp) and Community Redevelopment Authority Tax Request. David Springer, Finance Director reported that state statutes requires the City to conduct a public hearing if the property tax request changes from one year to the next. Property tax request for the general property tax was \$5,280,591, Parking District No. 2 at \$9,000, and the Community Redevelopment Authority property tax at \$500,000. No 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:

- #9136 – Consideration of Assessments for Business Improvement District #3
- #9137 – Consideration of Assessments for Business Improvement District #4
- #9138 – Consideration of Assessments for Business Improvement District #5
- #9139 – Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement and Parking District No. 1

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.

Ordinances #9136, #9137 and #9138 referred to the aforementioned Public Hearings. David Springer, Finance Director reported that Ordinance #9139 related to the Downtown Improvement and Parking District No. 1 assessments. The FY 2007-2008 occupation tax factor was \$.1432 which would provide for occupation taxes in the amount of \$39,997.

Motion by Whitesides, second by Haase to approve Ordinances #9136, #9137, #9138 and #9139.

City Clerk: Ordinances #9136, #9137, #9138 and #9139 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 #9136, #9137, #9138 and #9139 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.

President Meyer: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9136, #9137, #9138 and #9139 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda Item G-14 was pulled for further discussion. Motion by Gilbert, second by Haase to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of August 28, 2007 City Council Regular Meeting.

Approving Request of Alfredo Ascencion, 816 South Pine street for Liquor Manager Designation for Fiesta Latina/Nebraska Music Hall, 2815 South Locust Street.

#2007-212 – Approving Bid Award for Police Department Office Furnishings at the Law Enforcement Center with Eakes Office Plus, Grand Island, Nebraska in an Amount of \$61,367.00; Krueger International, Inc. of Green Bay, Wisconsin in an Amount of \$848.94; Office Net, Grand Island, Nebraska in an Amount of \$50,003.37; and Surroundings of Omaha, Nebraska in an Amount of \$30,174.50 for a Total Amount of \$142,393.81.

#2007-213 – Approving Bid Award for Window Treatments at the Law Enforcement Center with Naber Enterprises, LLC, Floor to Ceiling of Grand Island, Nebraska in an Amount of \$19,136.15.

#2007-214 – Approving Change Order No. 14 with Chief Construction of Grand Island, Nebraska for Law Enforcement Center for an Increase of \$6,080.20 and a Revised Contingency Amount of \$82,247.40.

#2007-215 – Approving Bid Award for Inspection & Permitting Software Programs for the Building Department with TerraScan, Inc. of Lincoln, Nebraska in an Amount not to exceed \$37,454.00.

#2007-216 – Approving Authorization for Emergency Sanitary Sewer Force Main Repairs on South Locust Street and 10th Street with the Diamond Engineering Company of Grand Island, Nebraska in an Estimated Amount of \$55,000.00.

#2007-217 – Approving Amendment to Agreement for Waste Water Comprehensive Plan Update with CH2M Hill, Inc. of Englewood, Colorado.

#2007-218 – Approving Application for 2007 Transportation Enhancement Program Grant.

#2007-219 – Approving Contract with Olsson Associates of Grand Island, Nebraska for Engineering Services for Construction of the River-Way Hike/Bike Trail in an Amount of \$29,957.00 with the City responsible for 20% of the Project Costs.

#2007-220 – Approving Bid Award for High Energy Piping Inspection at Platte Generating Station with MHT Access Services, Inc. of Houston, Texas in an Amount of \$120,908.00.

#2007-221 – Approving Renewal of Boiler & Machinery Insurance with Factory Mutual Insurance Co. of St. Louis, Missouri in an Amount of \$375,813.00.

#2007-222 – Approving Request of Extension of Time for Completion of Water Main District No. 455 – Park-View Area with Starostka Group Unlimited, Inc. of Grand Island, Nebraska until October 12, 2007.

#2007-224 – Approving Memorandum of Agreement with Offutt Air Force Base for Aircraft Rescue Firefighting Training.

#2007-225 – Approving Purchase of Automation Equipment and Supplies with SirsiDynix in an Amount of \$122,240.50.

#2007-226 – Approving Authorization to Negotiate with Funk Family LLC for Land Swap with the Parks and Recreation Property Located South of the Webb Road Soccer Complex.

#2007-223 – Approving Contract with AVI Systems of Omaha, Nebraska for Master Control & Studio Relocation in an Amount of \$68,361.00. Discussion was held concerning the GITV relocation and the affect that had on Charter Communications. City Attorney Dale Shotkoski explained the remodeling for GITV would be paid for by the City. The City was in the process of negotiating with Charter Communications for a stipend to cover costs and enhance the equipment in the GITV studio.

Motion by Whitesides, second by Gilbert to approve Resolution #2007-223. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Melodee Anderson for a Conditional Use Permit for a Temporary Modular Office Located at 3515 West Old Potash Highway. Craig Lewis, Building Department Director reported this item referred to the aforementioned Public Hearing.

Motion by Gilbert, second by Whitesides to approve the request from Melodee Anderson with the recommended stipulations. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Request from Randy & Cynthia Evans for a Conditional Use Permit for a Temporary Car Dealership Office Located at 1407 West 2nd Street. Craig Lewis, Building Department Director reported this item referred to the aforementioned Public Hearing.

Motion by Gilbert, second by Whitesides to approve the request from Randy & Cynthia Evans with the recommended stipulation. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Request from Olsson & Associates for a Conditional Use Permit for a Temporary Soil Vapor Extraction Trailer Located at 373 North Vine Street. Craig Lewis, Building Department Director reported this item referred to the aforementioned Public Hearing.

Motion by Gilbert, second by Whitesides to approve the request from Olsson & Associates for a two year period of time. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2007-227 – Consideration of Approving General Property, Parking District #2 (Ramp) and Community Redevelopment Authority Tax Request. David Springer, Finance Director reported that this item related to the aforementioned Public Hearing.

Motion by Meyer, second by Brown to approve Resolution 2007-227. Upon roll call vote, all voted aye. Motion adopted.

#2007-228 – Consideration of Additional Engineering Fees with Olsson Associates for Water Park Design. Steve Paustian, Parks and Recreation Director reported that on March 24, 2005 the City entered into a contract with Olsson Associates for the design of a Children's Wet Play Area at Island Oasis in the amount of \$42,700.00. Olsson Associates requested additional fees dues to additional services and increased cost of the wet play area in the amount of \$31,520.00. A settlement payment of \$20,000.00 was agreed upon between Olsson Associates and the City.

Motion by Meyer, second by Brown to approve Resolution #2007-288.

Discussion was held regarding the design of the web play area and the increased cost. Mr. Paustian stated materials had increased and the actual cost would not be know until formal bids were taken.

ADJOURN TO EXECUTIVE SESSION:

Motion by Gilbert, second by Haase to adjourn to executive session at 7:30 p.m. to discuss the additional fees with Olsson Associates for the water park design. 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 8:05 p.m. Upon roll call vote, all voted aye. Motion adopted.

Motion was made by Meyer to withdraw his motion, second by Zapata. Upon roll call vote, all voted aye. Motion adopted. There was no further action taken on Resolution #2007-228.

#2007-229 – Consideration of Approving Appointment of Jeff Pederson as City Administrator and Approving Offer of Employment. Mayor Hornady submitted her appointment of Jeff Pederson as the new City Administrator to the Council for their approval.

Motion by Gilbert, second by Whitesides to approve Resolution #2007-229. 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 August 28, 2007 through September 11, 2007, for a total amount of \$3,964,784.78. Motion adopted unanimously.

Motion by Brown, second by Haase to approve the following Claims for the Library Expansion for the period of August 28, 2007 through September 11, 2007:

#82	\$181,688.74
#83	\$ 237.80

Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 8:20 p.m.

RaNae Edwards
City Clerk