



# City of Grand Island

Tuesday, December 04, 2007

Council Session

## Item G1

**Approving Minutes of November 27, 2007 City Council Meeting**

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

November 27, 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 November 27, 2007. Notice of the meeting was given in *The Grand Island Independent* on November 21, 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, Niemann, and Meyer. The following City Officials were present: City Administrator Jeff Pederson, City Clerk RaNae Edwards, Finance Director David Springer, City Attorney Dale Shotkoski, and Public Works Director Steve Riehle.

INVOCATION was given by Reverend David McCreary, Faith United Methodist Church, 724 West 12<sup>th</sup> Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady acknowledged Community Youth Council members Laura Wirth and Amanda Calhoon and Board Member Adrian Velez.

PRESENTATIONS AND PROCLAMATIONS:

Presentation of Service Ward to Former Councilmember Fred Whitesides. The Mayor and City Council acknowledged Fred Whitesides with a plaque for his service to the citizen's of Grand Island for the last 11 years. Mr. Whitesides was present to receive the plaque.

Recognition of Cleo "Butch" Hurst, Grand Island Police Officer for 20 Years of Service with the City of Grand Island. The Mayor and City Council recognized Officer Cleo "Butch" Hurst for his 20 years of service with the City of Grand Island. Mentioned were several programs Officer Hurst had been involved with. Officer Hurst and his family were present for the recognition.

SPECIAL ITEMS:

Approving Appointment of Kirk Ramsey as City Councilmember for Ward 3. Mayor Hornady submitted the name of Kirk Ramsey for appointment as Councilmember to represent Ward 3. This appointment would fill the vacancy created by the resignation of Fred Whitesides.

Motion by Meyer, second by Gericke to approve the appointment of Kirk Ramsey as City Councilmember for Ward 3. Upon roll call vote, all voted aye. Motion adopted.

Administration of Oath of Office to Kirk Ramsey City Councilmember for Ward 3. City Clerk RaNae Edwards administered the Oath of Office to newly appointed Kirk Ramsey – Ward 3.

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

#2007-BE-8 – Consideration of Determining Benefits for Cost of Demolition of a House Located at 516 East First Street. Wes Nespor, City Attorney reported that Nebraska Law and the Grand Island City Code contained procedures for abating nuisances and assessing costs. Demolition of the house located at 516 East First Street was completed earlier this year through a District court order. The City Council in its' capacity as the Board of Equalization was required to determine the benefits and levy of special assessments. Paul Briseno, Assistant to the City Administrator gave a PowerPoint presentation explaining the process the Problem Resolution Team (PRT) had taken to address this property.

Motion by Nickerson, second by Zapata to approve Resolution #2007-BE-8. Upon roll call vote, all voted aye. Motion adopted.

Councilmember Meyer congratulated the PRT for the cleanup work on this property.

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

#### PUBLIC HEARINGS:

Public Hearing Concerning a Generalized Redevelopment Plan for Redevelopment Area #7 as Blighted and Substandard. Chad Nabity, Regional Planning Director reported that property located one half mile east of Highway 281 and one half mile west of South Locust Street, between Schimmer Drive and Wildwood Drive referred to as Redevelopment Area #7 was declared blighted and substandard by council on September 28, 2007. The generalized redevelopment plan does not specifically approve any Tax Increment Financing (TIF) projects but sets the parameters for TIF projects in the redevelopment area focusing on public improvements to utility, drainage and transportation infrastructure. Marlan Ferguson, Economic Development President spoke in support. No further public testimony was heard.

Public Hearing Concerning Change of Zoning for Lots 21 and 22, Nottingham Estates Subdivision Located North of Church Street and East of Hope Street from RD Residential Development to Amended RD Residential Development. Chad Nabity, Regional Planning Director reported that property located on the east side of Hope Street and north of Church Road was being considered for a zoning change to combine lots 21 and 22 of Nottingham Estates Subdivision to permit the construction of a duplex unit on the combined lots. No public testimony was heard.

Public Hearing Concerning Proposed Amendments to Chapter 36 of the Grand Island City Code Relative to Hard Surfaced Parking, Performance Standard for Salvage Yards, and Addition of Parking Lots as a Permitted Principal Use in the B2, B3 and M3 Zoning District. Chad Nabity, Regional Planning Director reported that amendments were proposed regarding performance standard for Salvage Yards, addition of parking lots as a permitted use in the B2, B3 and M3 Zoning Districts and Off-Street Parking requirements to modify parking lot surfacing requirements and clean up language relative to changes in zoning districts that were mad with the adoption of the Large Lot Residential Zone in 2004. No public testimony was heard.

Public Hearing Concerning Acquisition and Conveyance of Property Located on the South Boundary Line of the Webb Road Soccer Field (Funk, LLC). Steve Paustian, Park and

Recreation Director reported that the City acquired property formerly known as the Webb Salebarn for future Cemetery development now being used as the Webb Road Soccer Field. A detention cell constructed on the southern border impacts the west end of the proposed land swap with Funk, LLC. No public testimony was heard.

Public Hearing on Request of Munoz R. Rodriguez, Inc. dba Zona Rosa Nightclub, 611 East 4<sup>th</sup> Street for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from Munoz R. Rodriguez, Inc. dba Zona Rosa Nightclub, 611 East 4<sup>th</sup> Street for a Class "C" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 18, 2007; notice to the general public of date, time, and place of hearing published on November 17, 2007; notice to the applicant of date, time, and place of hearing mailed on October 18, 2007; along with Chapter 4 of the City Code. Staff recommended approval. Bill Francis, attorney for the applicant spoke in support. No further public testimony was heard.

Public Hearing Concerning Acquisition of Utility Easement Located at 317 South Locust Street (Two Brothers, Inc.). Gary Mader, Utilities Director reported that acquisition of a utility easement located at 317 South Locust Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to provide a location for underground electric cable and a new padmount transformer to provide power to the expanded Acapulco Grocery. No public testimony was heard.

RESOLUTION:

Mayor Hornady mentioned Council needed to act on Resolution #2007-307 before approving the Ordinances as it related to Ordinance No. 9153.

#2007-307 – Consideration of Approving Contract with IAFF. Brenda Sutherland, Human Resources Director reported that members of the City's negotiating team and members of the IAFF negotiating team had been meeting since September and come to an agreement based on terms identified by the Commission of Industrial Relations (CIR). The proposed labor agreement will commence retroactively to October 1, 2007 and will remain in effect until September 30, 2010.

Motion by Meyer, second by Brown to approve Resolution #2007-307. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady and IAFF President Scott Kuehl signed the IAFF Labor Contact.

ORDINANCES:

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

#9149 – Consideration of Assessments for Cost of Demolition of a House Located at 516 East First Street

#9150 – Consideration of Change of Zoning for Lots 21 and 22, Nottingham Estates Subdivision Located North of Church Street and East of Hope Street from RD Residential Development to Amended RD Residential Development

#9151 – Consideration of Proposed Amendments to Chapter 36 of the grand Island City Code Relative to Hard Surfaced Parking, Performance Standard for Salvage Yards, and Addition of Parking Lots as a Permitted Principal Use in the B2, B3 and M3 Zoning District

#9152 – Consideration of Conveyance of Property Located on the South Boundary Line of the Webb Road Soccer Field to Fund, LLC

#9153 – Consideration of Amending Salary Ordinance

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 Zapata second the motion. Upon roll call vote, all voted aye. Motion adopted.

Councilmember Nickerson wanted it clarified that Ordinance No. 9151 omitted cold roll asphalt.

Motion by Meyer, second by Carney to approve Ordinances #9149, #9150, #9151, #9152 and #9153.

City Clerk: Ordinances #9149 #9150, #9151, #9152, and #9153 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 #9149, #9150, #9151, #9152, and #9153 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: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9149, #9150, #9151, #9152, and #9153 are declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of November 13, 2007 City Council Regular Meeting.

#2007-294 – Approving Final Plat and Subdivision Agreement for Nottingham Estates Second Subdivision. It was noted that Gregory W. Baker, President of Baker Development Company, owner had submitted the Final Plat and Subdivision Agreement for Nottingham Estates Second Subdivision located on a tract of land comprising all of Lots Twenty One (21) and Twenty Two (22), Nottingham Estates Subdivision consisting of approximately 0.174 acres for the purpose of creating 1 lot.

#2007-295 – Approving Final Plat and Subdivision Agreement for Hwy 281 Estates Subdivision. It was noted that Funk Family, LLC, owners had submitted the Final Plat and Subdivision Agreement for Hwy 281 Estates Subdivision located on a tract of land comprising a part of the E

1/2 SE 1/4 of Section 24-11-10 located south of Old Highway 30, between U.S. Highway 281 and Webb Road consisting of approximately 34.442 acres for the purpose of platting 2 lots and correcting the property boundaries between the City of Grand Island and Funk Family, LLC.

#2007-296 – Approving Change Order No. 15 with Chief Construction of Grand Island, Nebraska for Law Enforcement Center for an Increase of \$476.30 and a Revised Contingency Amount of \$81,771.10.

#2007-297 – Approving Lease Expansion for Multi-Function Copy Machines for the New Law Enforcement Center with Eakes Office Products of Grand Island, Nebraska in an Amount of \$22,117.20 for 60 Months.

#2007-298 – Approving Bid Award for Law Enforcement Center Snow Removal Services with A-1 Snow Removal of Grand Island, Nebraska in an Amount of \$300.00 per hour for 24' Foldup Box Blade; \$120.00 per hour for Case Loader w/Box Blade; and \$40.00 per load for Trucking if needed.

#2007-299 – Approving Bid Award for Downtown Parking Lot Snow Removal Services for the 2007/2008 Winter Season with A-1 Snow Removal of Grand Island, Nebraska in an Amount of \$45.00 per load for Trucks; \$120.00 per hour for Front End Loaders/Tractors; and \$300.00 per hour for Tractor w/Pull Blade.

#2007-300 – Approving Bid Award for Wellfield Wells #1, #4, and #8 Enclosures with Steel Crafters, Inc. of Grand Island, Nebraska in an Amount of \$53,399.00.

#2007-301 – Approving Bid Award for Tree Trimming Contract #2008-TT-1 with Wright Tree Service of Des Moines, Iowa in an Amount of \$72,400.00 for Sections 1, 4, 5, 6, 7 and 8; Sheffield Tree Service of Grand Island, Nebraska in an Amount of \$22,850.00 for Sections 2, 9 and 11; Asplundh Tree Expert of Fairfax, Iowa in an Amount of \$21,627.00 for Sections 3 and 10 and Tom's Tree Service of Grand Island, Nebraska in an Amount of \$17,100.00 for Section 12.

#2007-302 – Approving Award of Gas Supply Contract between the City of Grand Island, Utilities Department and ONEOK for a Monthly Demand Charge of \$14,600.00.

#2007-303 – Approving Acquisition of Utility Easement Located at 317 South Locust Street (Two Brothers, Inc.)

#2007-304 – Approving Acquisition of Property Located on the South Boundary Line of the Webb Road Soccer Field from Funk Family, LLC.

RESOLUTIONS:

#2007-305 – Consideration of Generalized Redevelopment Plan for Redevelopment Area #7 as Blighted and Substandard. Chad Nabity, Regional Planning Director reported this item related to the aforementioned Public Hearing.

Motion by Gilbert, second by Haase to approve Resolution #2007-305. Upon roll call vote, all voted aye. Motion adopted.

#2007-306 – Consideration of Approving Request of Munoz R. Rodriguez, Inc. dba Zona Rosa Nightclub, 611 East 4<sup>th</sup> Street for a Class “C” Liquor License and Liquor Manager Designation for Elsy Ramos, 243 South Sycamore. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing and included the request from Elsy Ramos, 243 South Sycamore for Liquor Manager Designation.

Motion by Nickerson, second by Brown to approve Resolution #2007-306. 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 November 14, 2007 through November 27, 2007, for a total amount of \$4,939,104.32. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

RaNae Edwards  
City Clerk