



City of Grand Island

Tuesday, May 27, 2008

Council Session

Item G1

Approving Minutes of May 13, 2008 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 13, 2008

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 May 13, 2008. Notice of the meeting was given in *The Grand Island Independent* on May 7, 2008.

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, Ramsey, 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 Pastor Scott Friesen, Berean Bible Church, 4116 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady introduced Community Youth Council Members Jeff Seim and Allen Buck. Mayor Hornady commented on the number of Letters to the Editor concerning the privatization of the Waste Water Treatment Plant. She clarified that the City was exploring possibilities and options, but no decision had been made yet about privatization.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Employee Health and Fitness Week", May 19-23, 2008. Mayor Hornady proclaimed the week of May 19-23, 2008 as 'Employee Health and Fitness Week'. Jenny Roush, Wellness Education Coordinator was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Black Chip Entertainment & Hospitality dba Johnny Casinos, 3421 Conestoga Drive for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from Black Chip Entertainment & Hospitality dba Johnny Casinos, 3421 Conestoga Drive 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 April 16, 2008; notice to the general public of date, time, and place of hearing published on May 3, 2008; notice to the applicant of date, time, and place of hearing mailed on April 16, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Dan Stormer, 400 Winters Avenue, Glenvil, Nebraska spoke in support. No further public testimony was heard.

Public Hearing on Request from White Horse Tavern, inc. dba White Horse Tavern, 1803 West North Front Street for an Addition to Class "C-04161" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from White Horse Tavern, Inc. dba White Horse Tavern, 1803 West North Front Street for an addition to Class "C-04161" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor

Control Commission and received by the City on April 23, 2008; notice to the general public of date, time, and place of hearing published on May 3, 2008; notice to the applicant of date, time, and place of hearing mailed on April 23, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

ORDINANCES:

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

#9168 – Consideration of Vacation of a Portion of East 6th Street (East of 1003 East 6th Street)

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 this ordinance 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.

Steve Riehle, Public Works Director reported that Ordinance #9168 would vacate a portion of East 6th Street, east of 1003 East 6th Street in Evans Addition Subdivision for better utilization of land for a new residential subdivision..

Motion by Brown, second by Haase to approve Ordinance #9168.

City Clerk: Ordinance #9168 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. Councilmember Gericke was absent. Motion adopted.

City Clerk: Ordinance #9168 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. Councilmember Gericke was absent. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9168 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Zapata, second by Nickerson to approve the Consent Agenda. Upon roll call vote, all voted aye. Councilmember Gericke was absent. Motion adopted.

Approving Minutes of April 17, 2008 Special Study Session/Goals and Budget Retreat.

Approving Minutes of April 22, 2008 City Council Regular Meeting.

Approving Minutes of May 6, 2008 City Council Study Session.

Approving Re-Appointments of Dianne Miller, Karen Bredthauer and Scott Ericksen to the Interjurisdictional Planning Commission Board.

Approving Re-Appointments of Bill Martin, Buzz Douthit, Mike Toukan and Scott Zana to the Business Improvement District #4 Board.

Approving Request from Shirley Ginn, 251 Courtland Street, Trumbull, Nebraska for Liquor Manager Designation for Holiday Station Store #114 Located at 1404 West 2nd Street Contingent upon Ms. Ginn Completing a State Approved Alcohol Server/Seller Training Program.

#2008-122 – Approving Bid Award for Street Improvement District No. 1256; Widening of Capital Avenue from the Moores Creek drain to Webb Road with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$3,365,842.25.

#2008-123 – Approving Designating the North Side of Old Potash Highway from the Armory Driveway East for Approximately 350 Feet as No Parking.

#2008-124 – Approving Rescinding Resolution #2008-96 Regarding Asphalt Hot-Mix 2008 and Approving Corrected Resolution #2008-124 Bid Award to Gary Smith Construction Company of Grand Island, Nebraska in an Amount of \$34.80 per ton for Type “A”, \$28.40 per ton for Type “B” Asphalt Hot-Mix and \$33.65 per ton for Type “C” Asphaltic Concrete Hot-Mix.

#2008-125 – Approving Setting the Board of Equalization Date of June 10, 2008 for Annual Mowing Assessments.

#2008-126 – Approving Keno Satellite Location and Agreement for the KPT, Inc. dba Ole Cow Palace, 3602 West 2nd Street.

#2008-127 – Approving Change Order #19 with Chief Construction of Grand Island, Nebraska for Law Enforcement Center in an Amount of \$1,107.09 and an Increase in Contingency Fund Balance of \$25,943.54.

#2008-128 – Approving Change Order #1 with Island Plumbing Company of Grand Island, Nebraska for Campground Potable Water System at the Heartland Public Shooting Park for a Decrease of \$4,121.00 and a Revised Contract Amount of \$25,000.00. Councilmember Meyer abstained.

#2008-129 – Approving Certificate of Final Completion for Master Control and Council Chamber Projects.

#2008-130 – Approving Grant Award from Grand Island Community Foundation for Family Day in the Park in the Amount of \$2,500.00.

#2008-131 – Approving Bid Award for Electric Underground Shop Roof Covering Replacement at 1219 West North Front Street with Tri-Cities Group, Inc. of Grand Island, Nebraska in an Amount of \$64,856.00.

#2008-132 – Approving Award of Proposal for Engineering Services Related to Quiet Zone Improvements with Felsburg Holt & Ullevig Consulting Engineers of Omaha, Nebraska with JEO Consulting Group of Grand Island, Nebraska as a Sub-Consultant in an Amount not to exceed \$28,600.00.

RESOLUTIONS:

#2008-120 – Consideration of Request from Black Chip Entertainment & Hospitality dba Johnny Casinos, 3421 Conestoga Drive for a Class “C” Liquor License and Liquor Manager Designation for Daniel Stormer, 400 Winters Avenue, Glenvil, Nebraska. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Haase, second by Brown to approve Resolution #2008-133 contingent upon final inspections and Mr. Stormer completing a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2008-134 – Consideration of Request from White Horse Tavern, Inc. dba White Horse Tavern, 1803 West North Front Street for an Addition to Class “C-04161” Liquor License. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Brown, second by Gilbert to approve Resolution #2008-134 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2008-135 – Consideration of Intent to Offer Support of the Relocation of the Nebraska State Fair. City Attorney Dale Shotkoski reported that in order to move forward with the relocation of the Nebraska State Fair project, the City needed to have representatives negotiate with the Nebraska State Fair Board, the Hall County Livestock Improvement Association, and the County of Hall. It was recommended that the Mayor designate a negotiating team to pursue agreements between the parties necessary for the relocation of the Nebraska State Fair and bring the appropriate agreements to Council for review and ratification. It was also recommended that additional revenue would be needed and further study on bonding and an occupation tax on Food and Beverage Service businesses was necessary.

The following people spoke:

- Dean Pegg owner of The Chicken Coop, 120 East 3rd Street – opposed Food & Beverage Tax
- Lewis Kent, 624 E. Meves Avenue – opposed
- Curtis Cellar, 4258 Nevada Avenue – opposed Food & Beverage Tax
- Rick Milton, 109 East Ashton - support
- Andrew Meier, 4039 Craig Drive – opposed Food & Beverage Tax

Discussion was held by the council on the merits of a Food and Beverage Tax. Mayor Hornady commented on the negotiating team and participation of the City in looking into the options of moving forward with the State Fair relocation and financing issues.

Motion by Ramsey, second by Nickerson to approve Resolution #2008-135. 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 April 23, 2008 through May 13, 2008, for a total amount of \$3,342,792.39. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 8:05 p.m.

RaNae Edwards
City Clerk