



City of Grand Island

Tuesday, June 10, 2008

Council Session

Item G3

Approving Minutes of May 27, 2008 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 27, 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 27, 2008. Notice of the meeting was given in *The Grand Island Independent* on May 21, 2008.

Mayor Margaret Hornady called the meeting to order at 7:00 p.m. The following City Council members were present: Councilmember's Brown, Zapata, Nickerson, Gericke, Carney, Gilbert, Ramsey, Niemann, and Meyer. Councilmember Haase was absent. 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 Jones, Third City Christian Church, 4100 West 13th Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Request from M-Z Corporation dba J-Boys Seven Seas Lounge, 2332 North Broadwell Avenue for an Addition to Class "C-13059" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from M-Z Corporation dba J-Boys Seven Seas Lounge, 2332 North Broadwell Avenue for an addition to Class "C-13059" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 9, 2008; notice to the general public of date, time, and place of hearing published on May 17, 2008; notice to the applicant of date, time, and place of hearing mailed on May 9, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Between 2777 North Broadwell Avenue and 204 East Roberts (Agricultural Services, Inc.). Robert Smith, Assistant Utilities Director reported that that a utility easement was needed between 2777 North Broadwell Avenue and 204 East Roberts in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to provide electrical service to a new pumping station and tanks now under construction by Agricultural Services and would contain primary underground cable and pad-mounted transformer. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Northwest of 3135 East Highway 30 – Elite 8 Trucking (Michael Paul Graham). Robert Smith, Assistant Utilities Director reported that that a utility easement was needed northwest of 3135 East Highway 30 – Elite 8 Trucking in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to locate underground primary electric cable and a pad-mounted transformer to provide electrical service to a new truck repair facility. Staff recommended approval. No public testimony was heard.

Public Hearing on Rezoning Northview II, Lots 1-11, Block 1, from R1 Suburban Residential and R2 Low Density Residential to R3 Medium Density Residential. Chad Nabity, Regional Planning Director reported that the property is located west of North Road on Anne Marie Avenue. The purpose of the change was to build townhouse or condominium units on the property. No public testimony was heard.

Public Hearing on Solid Waste Disposal Facilities Revenue Bonds for JBS Swift & Company (Microgy Grand Island, LLC Project). Nick Fourtune, Vice President of Microgy reported that on February 26, 2008, council approved the intent for the City of Grand Island to issue tax-exempt industrial development revenue bonds for Microgy Grand Island, LLC. The purpose of the bonds would defray the cost of acquisition, construction and equipping certain solid waste disposal and biogas manufacturing facilities to be operated by Microgy at the Swift & Company beef processing facility. 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 ordinances numbered:

#9169 – Consideration of Rezoning Northview II, Lots 1-11, Block 1, from R1 Suburban Residential and R2 Low Density Residential to R3 Medium Density Residential

#9170 – 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 Brown second the motion. Upon roll call vote, all voted aye. Motion adopted.

Ordinance #9169 related to the aforementioned Public Hearing.

Human Resources Director Brenda Sutherland reported Ordinance #9170 represented the changes negotiated by the Fraternal Order of Police #24 (FOP) retroactive to October 1, 2007. Ms. Sutherland highlighted those changes along with other areas of housekeeping in the salary ordinance. Discussion was held on sick leave pay out. Since this was not a comparable practice it was no longer included in the agreement.

Motion by Niemann, second by Ramsey to approve Ordinances #9169 & #9170.

City Clerk: Ordinances #9169 and #9170 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 #9169 and #9170 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 #9169 & #9170 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-14 was removed for further discussion. Motion by Zapata, second by Nickerson to approve the Consent Agenda excluding item G-14. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 13, 2008 City Council Regular Meeting.

Approving Request from Becky Janes, 2236 West 11th Street for Liquor Manager Designation for Red Lobster #0734, 3430 West 13th Street.

#2008-136 – Approving 2008 High Intensity Drug Trafficking Area (HIDTA) Grant.

#2008-137 – Approving Renewal of Leases at Cornhusker Army Ammunition Plant for Storage Buildings with Dominion Construction Company of Scottsbluff, Nebraska in the Amount of \$2,750.00 and Jerry Harders of Wood River, Nebraska in the Amount of 825.00.

#2008-138 – Approving Acquisition of Utility Easement Located between 2777 North Broadwell Avenue and 204 East Roberts (Agricultural Services, Inc.)

#2008-139 – Approving Acquisition of Utility Easement Located Northwest of 3135 East Highway 30 – Elite 8 Trucking (Michael Paul Graham).

#2008-140 – Approving Nebraska Water Agency Response Network (WARN) Agreement.

#2008-141 – Approving Contract with Moonwalks for Fun of Wichita, Kansas for Family Day in the Park Inflatable Obstacle Course.

#2008-142 – Approving Bid Award for Handicap Ramp Project No. 2008-1 with Galvan Construction, Inc. of Grand Island, Nebraska in an Amount of \$31,623.32.

#2008-143 – Approving Bid Award for the 2008 Asphalt Resurfacing Project No. 2008-AC-1 with Gary Smith Construction Company, Inc. of Grand Island, Nebraska in an Amount of \$797,882.76.

#2008-144 – Approving Update to Resolution #2007-204; Purchase of (1) Wheel Loader for Use in the Sludge Disposal Operation for the Waste Water Division from Mid-Land Equipment of Omaha, Nebraska in an Amount of \$12,250.00 (plus trade-in valued at \$99,874.00).

#2008-145 – Approving Time Extension to the Contract with The Diamond Engineering Company of Grand Island, Nebraska for Construction of Water Main District 453T and Sanitary Sewer District 522T, Lift Station #22 at the National Guard Helicopter Facility until June 30, 2008.

#2008-146 – Approving Bid Award for Trucking of Sewage Sludge for the Waste Water Division with Butler County Landfill of David City, Nebraska in an Amount of \$10.60 per ton.

#2008-148 – Approving Agreement with McCook Community College for Advanced EMS Training Field Experience.

#2008-149 – Approving Change Order #20 with Chief Construction of Grand Island, Nebraska for Law Enforcement Center in an Amount of \$3,128.40 and a Decrease in Contingency Fund Balance of \$22,815.14.

#2008-150 – Approving Fraternal Order of Police (FOP) No. 24 Labor Agreement.

#2008-147 – Approving Agreement for Preliminary Engineering Related to Safe Route to School Program for the Walk to Walnut Project with The Schemmer Associates of Lincoln, Nebraska and Sub-Consultant Rockwell & Associates of Grand Island, Nebraska for an Amount not-to-exceed \$33,388.05. Discussion was held on the sub-contractor and awarding future bids to local contractors.

Motion by Ramsey, second by Niemann to approve Resolution #2008-147. Upon roll call vote, Councilmember's Brown, Zapata, Nickerson, Gericke, Carney, Ramsey, Niemann, and Meyer voted aye. Councilmember Gilbert voted no. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Referring Business Improvement District (BID) #8 Formation and Proposal to the Regional Planning Commission. Wes Nespor, Attorney reported BID #8 would replace the existing downtown Business Improvement District to facilitate improvements and to develop and promote a variety of beneficial activities within the downtown area. State Statutes require this matter be referred to the Regional Planning Commission.

Motion by Gilbert, second by Brown to approve referring Business Improvement District (BID) #8 Formation and Proposal to the Regional Planning Commission. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2008-151 – Consideration of Request from M-Z Corporation dba J-Boys Seven Seas Lounge, 2332 North Broadwell Avenue for an Addition to Class "C-13059" Liquor License. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Nickerson, second by Zapata to approve Resolution #2008-151 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

Sgt. Dale Hilderbrand, President of the Fraternal Order of Police (FOP) No. 24 was present to sign the FOP Agreement. Mayor Hornady thanked the FOP and the City for negotiating an agreement.

PAYMENT OF CLAIMS:

Motion by Brown, second by Zapata to approve the Claims for the period of May 14, 2008 through May 27, 2008, for a total amount of \$4,056,659.10. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 7:37 p.m.

RaNae Edwards
City Clerk