



City of Grand Island

Tuesday, June 24, 2008

Council Session

Item G1

Approving Minutes of June 10, 2008 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

June 10, 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 June 10, 2008. Notice of the meeting was given in *The Grand Island Independent* on June 4, 2008.

Mayor Margaret Hornady called the meeting to order at 7:15 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 Alan Davis, Independent Bethel Baptist Church, 1223 East 6th Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady introduced Community Youth Council Members Sarah Kuta, Paige Liess, and MaKayla Kort.

Mayor Hornady commented on the ground water and sanitary sewer backup issues throughout the City. Councilmember Meyer thanked the Mayor and city staff for a great job in dealing with the flooding issues. Mayor Hornady thanked the employees at the Waste Water Treatment Plant and mentioned all efforts to privatize this division would not take place.

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

#2008-BE-2 – Consideration of Determining Benefits for 2007 Weed Abatement Program. Wes Nespor, Assistant City Attorney reported that under Chapter 17 of the Grand Island City Code, the City had several properties which were not mowed of which the City contracted to have taken care of. The City Council in its' capacity as the Board of Equalization was required to determine the benefits for the 2007 Weed Abatement Program.

Lewis Kent, 624 E. Meves Avenue spoke in support of cleaning up properties.

Motion by Meyer, second by Brown to approve Resolutions #2008-BE-2. Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request from The Firehouse LLC dba The Firehouse, 418 West 4th Street for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from The Firehouse LLC dba The Firehouse, 418 West 4th 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 May 13, 2008; notice to the general public of date, time, and place of hearing published on May 31, 2008; notice to the applicant of date, time, and place of hearing mailed on May 13, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and with the restriction there be no involvement of any kind by John Spencer. No public testimony was heard.

Public Hearing on Request from Gibby's, Inc. dba Gibby's Pool Hall, 807 West 4th Street for an Addition to Class "C-35854" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from Gibby's, Inc. dba Gibby's Pool Hall, 807 West 4th Street for an addition to Class "C-35854" 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 28, 2008; notice to the general public of date, time, and place of hearing published on May 31, 2008; notice to the applicant of date, time, and place of hearing mailed on May 28, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing Regarding the 2009 CDBG Community Revitalization Phase III Grant Application. Joni Kuzma, Community Development Administrator reported that the Nebraska Department of Economic Development (DED) was taking applications for Phase 3 of the Community Revitalization program. The City was applying for the CDBG grant funds in the amount of \$254,230 of which the City would match \$228,314. No public testimony was heard.

Public Hearing on Acquisition of Right-of-Way at the Southeast Corner of Old Potash Highway and North Road (Greg Baxter). This item was pulled from the agenda at the request of Greg Baxter.

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:

#9171 – Consideration of Assessments for 2007 Weed Abatement Program

#9172 – Consideration of Issuance of Industrial Development Revenue Bonds for Microgy Grand Island, LLC

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

Ordinance #9171 related to the aforementioned Public Hearing.

Curtis Christensen, Bond Attorney from Omaha, Nebraska reported that on February 26, 2008 City Council approved Resolution #2008-78 approving the intent to issue Tax-Exempt Industrial Development Revenue Bonds for Microgy Grand Island, LLC for the purpose of defraying the cost of acquisition, construction and equipping solid waste disposal and biogas manufacturing

facilities at the Swift & Company beef processing facility. A public hearing was held on May 27, 2008.

Motion by Nickerson, second by Meyer to approve Ordinances #9171 & #9172.

City Clerk: Ordinances #9171 and #9172 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 #9171 and #9172 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 #9171 & #9172 are declared to be lawfully adopted upon publication as required by law.

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

Receipt of Official Document – Tort Claim Filed by Dee Ann Steiner.

Receipt of Official Document – Tort Claim Filed by Great West Casualty Company.

Approving Minutes of May 27, 2008 City Council Regular Meeting.

Approving Minutes of June 3, 2008 City Council Study Session.

Approving Re-Appointment of Paul Leeper to the Civil Service Commission.

#2008-152 – Approving Authorization of Settlement with John R. Menard for Property along Capital Avenue for a Total Amount of \$163,513.66.

#2008-153 – Approving 2009 CDBG Community Revitalization Phase III Grant Application.

#2008-154 – Approving Contract for Affordable Housing Market Study CDBG 07-PP-021 with The Schemmer Associates, Inc. of Omaha, Nebraska in an Amount not to exceed \$37,500.00.

#2008-155 – Approving Contract for Housing Management and Lead Based Paint Services CDBG 07-CR-002 with Community Development Services, LLC of Plainview, Nebraska in an Amount not to exceed \$25,992.00.

#2008-156 – Approving Acquisition of Right-of-Way at the Southeast Corner of Old Potash Highway and North Road (Greg Baxter). This item was pulled from the agenda at the request of Greg Baxter.

#2008-157 – Approving Creation of Business Improvement District #7 and Initial Board, South Locust Street from Stolley park Road to Highway 34.

#2008-158 – Approving Contract for Annual City Audit with Almquist, Maltzan, Galloway & Luth of Grand Island, Nebraska in an Amount of \$312,000.00 for fiscal years ending September 30, 2008 – 2012.

RESOLUTIONS:

#2008-159 – Consideration of Request from The Firehouse LLC dba The Firehouse, 418 West 4th Street for a Class “C” Liquor License and Liquor Manager Request from Sarah Spencer, 1823 West 3^d Street. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Meyer, second by Niemann to approve Resolution #2008-159 contingent upon final inspections and with the restriction there be no involvement of any kind by John Spencer. Upon roll call vote, all voted aye. Motion adopted.

#2008-160 – Consideration of Request from Gibby’s, Inc. dba Gibby’s Pool Hall, 807 West 4th Street for an Addition to Class “C-35854” Liquor License. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Brown, second by Haase to approve Resolution #2008-160 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2008-161 – Consideration of Proposing a Ballot Measure to Prohibit the Addition of Fluoride to the City Water System. City Administrator Jeff Pederson reported that Nebraska State Statutes Section 71-3305 required all cities with a population of one thousand or more to add fluoride to their city water systems by June 1, 2010. Capital cost to install a fluoride system was estimated at \$120,000.00. Mr. Pederson stated placing the issue before the public on the November ballot would allow for the voters to make a determination on the issue.

The following people spoke:

Mike McDermott, 1603 Gretchen Avenue – supported a vote to the people

Chuck Carpenter, 3211 West 18th Street – supported a vote to the people

Jane Miller, 223 Lakeside Drive – supported fluoridation

Maria Hines, 1115 West John – supported fluoridation

Teresa Anderson, Health Department Director ceded her time to speak to Dr. Jessica Meeske, DDS, 2414 West Faidley Avenue – spoke in favor of fluoridation

Discussion was held concerning health care experts support of fluoridation. Questions were answered by Dr. Meeske concerning the risks of using fluoride. Dr. Meeske commented on dental fluoresces. Comments were made on over fluoridation of parts per million.

Motion by Carney, second by Gericke to approve Resolution #2008-161. Upon roll call vote, Councilmember’s Meyer, Niemann, Carney, Gericke, Nickerson, Haase, and Brown voted aye. Councilmember’s Ramsey, Gilbert, and Zapata voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Brown, second by Haase to approve the Claims for the period of May 28, 2008 through June 10, 2008, for a total amount of \$1,978,436.32. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 8:30 p.m.

RaNae Edwards
City Clerk