



# City of Grand Island

Tuesday, July 14, 2009

Council Session

## Item G1

**Approving Minutes of June 30, 2009 City Council Special Meeting**

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL MEETING

June 30, 2009

Pursuant to due call and notice thereof, a Special 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 30, 2009. Notice of the meeting was given in *The Grand Island Independent* on June 24, 2009.

Mayor Hornady called the meeting to order at 7:00 p.m. The following City Council members were present: Meyer, Niemann, Gilbert, Haase, Carney, Dugan, Nickerson, Zapata, and Gericke. Councilmember Ramsey 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 Mayor Hornady followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady introduced Community Youth Council members Audie Aguilar and Miranda Baxter. Also introduced were Northwest FFA members Kendall Hostler, Matt Hall-Haughton, Miranda Baxter and Jessica Hermansen – Advisor. Mayor Hornady mentioned the National 4-H Shooting Competition which was a huge success with 480 participants.

Mayor Hornady stated she received from Don Dunn, a copy of a Letter of Credit from Five Points Bank in the amount of \$1,500,000 and \$500,000 wire transfer from the Community Foundation. Since this needs to be received by July 1, 2009 at the offices of Department of Administrative Services, this is considered an emergency Under the Open Meetings Law. Mayor Hornady stated we would need to amend the agenda to add this item.

Motion by Meyer, second by Dugan to amend the agenda to add the following item under Requests and Referrals:

- H-1. Consideration of Request from Hall County Livestock Improvement Association, Nebraska State Fair Board, Grand Island Community Foundation and Five Points Bank for Financial Documents to be Referred to the Department of Administrative Services.

Upon roll call vote, all voted aye. Motion adopted.

PUBLIC HEARINGS:

Public Hearing Concerning Ground Lease to the Nebraska State Fair for Land Located Near Fire Station 1, Grand Island, Nebraska. This item was pulled from the agenda at the request of the Nebraska State Fair Board.

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:

#9223 – Consideration of Assessment for 2008 Weed and Nuisance Abatement Program (Second and Final Reading)

#9224 – Consideration of Amendments to Chapter 23-79 of the Grand Island City Code Relative to Food Services, Drinking Places, and Restaurant Tax (Second and Final Reading)

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

Wes Nesor, Assistant City Attorney reported Ordinance #9223 on second and final reading would assess properties for the 2008 Weed and Nuisance Abatement Program. Mr. Nesor stated the ordinance had been amended from the first reading to omit two of the properties because of change in ownership.

Motion by Meyer, second by Zapata to approve Ordinance #9223 on second and final reading.

City Clerk: Ordinance #9223 on second 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. Motion adopted.

City Clerk: Ordinance #9223 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. Motion adopted.

Mayor Hornady: By reason of the roll call votes on second reading and then upon final passage, Ordinance #9223 is declared to be lawfully adopted upon publication as required by law.

#9224 – Consideration of Amendments to Chapter 23-79 of the Grand Island City Code Relative to Food Services, Drinking Places, and Restaurant Tax (Second and Final Reading)

City Administrator Jeff Pederson reported that Ordinance #9224 on second and final reading would amend Chapter 23-79 of the Grand Island City Code to allow up to \$1.6 million of revenue from the Occupation Tax to be utilized for the athletic fields development on the Veterans Home land that is under lease from the State of Nebraska.

Motion by Meyer, second by Nickerson to approve Ordinances #9224 on second and final reading.

Councilmember Gilbert spoke against raising the amount to \$1.6 million and encouraged the Council to vote no. Councilmember Nickerson commented on the need to include the fourth ball field at this time.

City Clerk: Ordinance #9224 on second reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmember's Meyer, Niemann, Dugan, Zapata, Nickerson, and Gericke voted aye. Councilmember's Gilbert, Haase, and Carney voted no. Motion adopted.

City Clerk: Ordinance #9224 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmember's Meyer, Niemann, Dugan, Zapata, Nickerson, and Gericke voted aye. Councilmember's Gilbert, Haase, and Carney voted no. Motion adopted.

Mayor Hornady: By reason of the roll call votes on second reading and then upon final passage, Ordinance #9224 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of June 23, 2009 City Council Regular Meeting.

REQUESTS AND REFERRALS:

Consideration of Request from Hall County Livestock Improvement Association, Nebraska State Fair Board, Grand Island Community Foundation and Five Points Bank for Financial Documents to be Referred to Department of Administrative Services. Mayor Hornady reported this item needed to be sent to the Department of Administrative Services by July 1, 2009 in order to meet the deadline for the State Fair Relocation.

Motion by Meyer, second by Nickerson to approve the Request from Hall County Livestock Improvement Association, Nebraska State Fair Board, Grand Island Community Foundation and Five Points Bank for Financial Documents to be Referred to Department of Administrative Services. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2009-153 – Consideration of Ground Lease to the Nebraska State Fair for Land Located Near Fire Station 1, Grand Island, Nebraska. This item was pulled from the agenda at the request of the Nebraska State Fair Board.

#2009-154 – Consideration of Accepting Appraisal for Lease Purchasing Financing for Recreational Facility at Fonner Park. City Administrator Jeff Pederson reported that in conjunction with the decision of the City Council to contribute \$5 million to the relocation of the Nebraska State Fair to Grand Island, a recreational building was required to be built in order to borrow the funds through a Lease-Purchase Agreement with Wells Fargo. State Statutes required a certified appraisal for real property improvements valued in excess of \$100,000. The appraisal for the 70,000 sq. ft. recreation building had been conducted by Robin Hendrickson.

Motion by Meyer, second by Haase to approve Resolution #2009-154. Upon roll call vote, all voted aye. Motion adopted.

#2009-155 – Consideration of Approving Lease Agreement with Fonner Park Exposition & Events Center. Hall County Livestock Improvement Association, City of Grand Island and the Nebraska State Fair for Recreational Facility at Fonner Park. City Administrator Jeff Pederson reported that the Nebraska State Fair Board had expressed the desire to relocate the Nebraska State Fair to Grand Island on property owned by the Hall County Livestock Improvement Association. A Lease purchase agreement between the Nebraska State Fair Board, Wells Fargo, the City of Grand Island, and the Hall County Livestock Improvement Association for the City improvement was required.

Questions were answered concerning the dates of use of the City owned facility, naming rights, and maintenance during the State Fair. City Attorney Dale Shotkoski explained the State Fair would use the City owned facility from August 1 through September 29. Also explained was that all monetary donations generated from the sale of naming rights with respect to the Improvements on the City Property would be retained by the City. No sale or commercial use of naming rights by the City would be made as long as the Wells Fargo Agreement remained in effect. Maintenance during the State Fair would be provided by the State Fair.

Councilmember Carney mentioned a typo on page 10 of the Lease Agreement under Section 7b Lessors' Insurance changing the word "care" to "carry".

Motion by Gilbert, second by Haase to approve Resolution #2009-155. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady thanked all those involved regarding the State Fair relocation.

ADJOURNMENT: The meeting was adjourned at 7:35 p.m.

RaNae Edwards  
City Clerk