



# **City of Grand Island**

**Tuesday, February 09, 2010**

**Council Session**

## **Item G1**

**Approving Minutes of January 26, 2010 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

## CITY OF GRAND ISLAND, NEBRASKA

### MINUTES OF CITY COUNCIL REGULAR MEETING

January 26, 2010

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 January 26, 2010. Notice of the meeting was given in *The Grand Island Independent* on January 20, 2010.

Mayor Hornady called the meeting to order at 7:00 p.m. The following City Councilmember's were present: Meyer, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke. Councilmember Niemann was absent. The following City Officials were present: City Administrator Jeff Pederson, City Clerk RaNae Edwards, Finance Director Mary Lou Brown, Assistant City Attorney Wes Nespor, and Public Works Director Steve Riehle.

INVOCATION was given by Mayor Hornady followed by the PLEDGE OF ALLEGIANCE.

COMMUNICATION: Mayor Hornady introduced CYC members Konner Davis and Dillon Spies.

#### PUBLIC HEARINGS:

Public Hearing on Re-Adoption of the City of Grand Island Official Zoning Map. Chad Nabity, Regional Planning Director reported that the last revision to the Official Zoning Map was done on March 25, 2008 and it was time to re-adopt the map incorporating all changes since the last re-adoption. Staff recommended approval. No public testimony was heard.

Public Hearing on Amending the Zoning for Property Located at 1613 and 1615 Hope Street – RD Residential Development. Chad Nabity, Regional Planning Director reported that this request was to amend the existing Nottingham Estates RD – Residential Development zone, to combine lots 19 and 20 of Nottingham Estates Subdivision and permit the construction of a duplex unit on the combined lots. Staff recommended approval. No public testimony was heard.

Public Hearing on Redevelopment Plan for Real Estate between 9<sup>th</sup> Street and 12<sup>th</sup> Street along Poplar Street. Chad Nabity, Regional Planning Director reported that Habitat for Humanity was proposing to build houses on at least 4 vacant lots along Poplar Street. CRA was proposing to finance a project to install a water line and intended to recoup their investment from the water line through Tax Increment Financing. It was requested that Council approve a resolution approving the cost benefit analysis as presented along with the amended redevelopment plan for CRA and authorizing the CRA to execute a contract for TIF based on the plan amendment. Staff recommended approval. No public testimony was heard.

Public Hearing on Redevelopment Plan for Real Estate Located at the Southeast Corner of 4<sup>th</sup> Street and Cedar Street. Chad Nabity, Regional Planning Director reported that Pharmacy Properties LLC was proposing to build a U-Save Pharmacy at the corner of 4<sup>th</sup> and Cedar Streets. CRA was proposing to provide incentives for development in underdeveloped areas of the community. It was requested that Council approve a resolution approving the cost benefit analysis as presented along with the amended redevelopment plan for CRA and authorizing CRA

to execute a contract for TIF based on the plan amendment. Staff recommended approval. Bill Francis, 222 North Cedar Street, Attorney for the applicant spoke in support. No further public testimony was heard.

Public Hearing for Community Revitalization CDBG Phase 1 Grant Application. Joni Kuzma, Community Development Administrator reported that the City was applying for a \$257,794 grant to carry out Phase 1 of a Comprehensive Revitalization Strategy for a selected low-to-moderate income area in Grand Island. The request included grant funds up to \$239,784 for 4 blocks of water main and 7 Ludlow fire hydrant replacements and an amount not to exceed 7% (\$18,046) for General Administration. Staff recommended approval. 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:

#9248 – Consideration of Amending the Zoning for Property Located at 1613 and 1615 Hope Street – RD Residential Development

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

Ordinance #9248 related to the aforementioned Public Hearing.

Motion by Meyer, second by Ramsey to approve Ordinance #9248.

City Clerk: Ordinance #9248 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. Motion adopted.

City Clerk: Ordinance #9248 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 first reading and then upon final passage, Ordinance #9248 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-7, G-8, G-18 and G-16 were removed for further discussion. Item G-13 was removed from the agenda. Motion by Zapata, second by Gilbert to approve the Consent Agenda excluding items G-7, G-8, G-10, G-13, and G-16. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of January 12, 2010 City Council Regular Meeting.

Approving Minutes of January 19, 2010 City Council Study Session.

#2010-24 – Approving Final Plat and Subdivision Agreement for Nottingham Estates Third Subdivision. It was noted that Gregory Baker, President of Baker Development Company, owner had submitted the Final Plat and Subdivision Agreement for Nottingham Estates Third Subdivision for the purpose of creating 1 lot on a tract of land comprising all of Lots Nineteen (19) and Twenty (20), Nottingham Estates Subdivision comprising of approximately .166 acres.

#2010-25 – Approving Final Plat and Subdivision Agreement for Parmley Subdivision. It was noted that Robert Parmley, owner had submitted the Final Plat and Subdivision Agreement for Parmley Subdivision for the purpose of creating 2 lots on a tract of land comprising all of Lot Four (4), in Fractional Block One Hundred Thirty Six (136), Union Pacific Railway Company's Second Addition, and its compliment Fractional Lot Four (4), in Fractional Block Seven (7), Russel Wheeler's Addition comprising of approximately .200 acres.

#2010-26 – Approving Final Plat and Subdivision Agreement for Rathgeber Acres subdivision. It was noted that Roy Rathgeber, owner has submitted the final Plat and Subdivision Agreement for Rathgeber Acres Subdivision for the purpose of creating 3 lots on a tract of land comprising all of Lot Two (2), Spencer Acres Subdivision comprising of approximately 7.091 acres. Councilmember Gilbert voted no.

#2010-27 – Approving Re-Adoption of the City of Grand Island Official Zoning Map.

#2010-30 – Approving Community Revitalization CDBG Phase 1 Grant Application.

#2010-32 – Approving Change Order #1 for Water Main Project 2009-W-3 – Water Main Extension – Husker Highway and 60<sup>th</sup> Road with Van Kirk Brothers Contracting of Sutton, Nebraska for a Time Extension of 90 days.

#2010-33 – Approving the Power Sales and Marketing Agreements between the City of Grand Island and Omaha Public Power District.

#2010-34 – Approving Supplemental Agreement Number 2 for Safe Routes to School Program Funding for the Walk to Walnut Project with the Nebraska Department of Roads. This item was removed from the agenda at the request of the Public Works Department.

#2010-35 – Approving Change Order #2, #4, and #5 for Grand Generation Center Kitchen Addition and Renovation with Chief Construction Company of Grand Island, Nebraska for an Increase of \$1,914.00.

#2010-36 – Approving Waiver/Fine Schedule Revisions.

#2010-28 – Approving Redevelopment Plan for Real Estate between 9<sup>th</sup> Street and 12<sup>th</sup> Street along Poplar Street. Discussion was held concerning the cost benefit analysis and TIF financing. Chad Nabity stated CRA would do the TIF financing on this project.

Motion by Haase, second by Nickerson to approve Resolution #2010-28. Upon roll call vote, all voted aye. Motion adopted.

#2010-29 – Approving Redevelopment Plan for Real Estate Located at the Southeast Corner of 4<sup>th</sup> Street and Cedar Street. Discussion was held on the amount of the financing fee of \$568,000. Chad Nabity stated it would be \$111,000.

Motion by Haase, second by Gilbert to approve Resolution #2010-29. Upon roll call vote, all voted aye. Motion adopted.

#2010-31 – Approving Transfer from the General Fund to the Debt Service Fund. Discussion was held concerning the difference between funding a negative cash balance and a negative net asset balance. Finance Director Mary Lou Brown stated the State Auditors office recommended the transfer of \$91,000 and that claims would still be submitted to Council on this fund. City Administrator Jeff Pederson stated Council needed to stay within state statutes.

Motion by Haase, second by Zapata to approve the transfer of \$281,000 from the General Fund to the Debt Service Fund. Upon roll call vote, Councilmember's Haase and Gericke voted aye. Councilmember's Meyer, Gilbert, Carney, Dugan, Ramsey, Zapata, and Nickerson voted no. Motion failed.

Motion by Nickerson, second by Ramsey to approve Resolution #2010-31 transferring \$91,000 from the General Fund to the Debt Service Fund. Upon roll call vote, all voted aye. Motion adopted.

#2010-37 – Approving Purchase of (16) New Dell Optiplex 960 FLX Computers for the Police Department from Dell State Contract No. 12551 OC in an Amount of \$23,178.24. Discussion was held regarding the specifications for these computers. Police Chief Steve Lamken stated the specifications were drawn up by the IT Department and no bids were received after going out to bid. Chief Lamken also stated there was software included in the specifications.

Motion by Dugan, second by Zapata to approve Resolution #2010-37. Upon roll call vote, Councilmember's Meyer, Gilbert, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

#### REQUESTS AND REFERRALS:

Approving Referral of the One & Six Year Street Improvement Plan to the Regional Planning Commission. Steve Riehle, Public Works Director reported on the process of having the Regional Planning Commission act on the One & Six Year Street Improvement Program and then bring their recommendations to the City Council. The City Council would act on this at their February 9, 2009 Regular meeting.

Discussion was held on the timeline for the South Locust project. Mr. Riehle stated the State of Nebraska would open bids in March with a June 1, 2010 start date.

Motion by Gilbert, second by Meyer to approve the referral of the One & Six Year Street Improvement Plan to the Regional Planning Commission. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Ramsey to approve the Claims for the period of January 13, 2010 through January 26, 2010, for a total amount of \$2,750,117.75. Unanimously approved. Councilmember Haase voted no on the following claims:

Community Development claims in the amount of \$110.87

Community Development claims for Contract Services in the amount of \$2,060.60

Backflow in the amount of \$58.70

Motion by Dugan, second by Ramsey to approve the Claims for the period of January 13, 2010 through January 26, 2010 for the Veterans Athletic Field Complex for a total amount of \$101,584.63. Unanimously approved.

Motion by Dugan, second by Ramsey to approve the Claims for the period of December 16, 2009 through January 26, 2010 for the State Fair Recreation Building for a total amount of \$30,436.21. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

RaNae Edwards  
City Clerk