



City of Grand Island

Tuesday, March 23, 2010

Council Session

Item G3

Approving Minutes of March 9, 2010 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

March 9, 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 March 9, 2010. Notice of the meeting was given in *The Grand Island Independent* on March 3, 2010.

Mayor Hornady called the meeting to order at 7:00 p.m. The following City Councilmember's were present: Meyer, Gilbert, Haase, Carney, Ramsey, Zapata, Nickerson, and Gericke. Councilmember's Niemann and Dugan were absent. The following City Officials were present: City Administrator Jeff Pederson, City Clerk RaNae Edwards, Finance Director Mary Lou Brown, 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 CYC members Ava Mackey and Katrina Molholm.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Robert Holmes, Computer Programmer with the Finance Department for 40 Years of Service with the City of Grand Island. Mayor Hornady and the City Council recognized Robert Holmes, Computer Programmer with the Finance Department for 40 years of service with the City of Grand Island. Finance Director Mary Lou Brown commented on Mr. Holmes service over the last 40 years in the Finance Department. Mr. Holmes was present for the recognition.

PUBLIC HEARINGS:

Public Hearing on Request from Julio Melesio dba Copas De Oro, 413 West 4th Street for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "C" Liquor License had been received from Julio Melesio dba Copas De Oro, 413 West 4th Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on February 10, 2010; notice to the general public of date, time, and place of hearing published on February 27, 2010; notice to the applicant of date, time, and place of hearing mailed on February 10, 2010; along with Chapter 4 of the City Code. Mentioned was the denial by the Liquor Control Commission (LCC) of the last application on February 2, 2010 due to the applicant's character and reputation. Staff recommended that Council make "no recommendation" to the Liquor Control Commission. No public testimony was heard.

Public Hearing on Request from JBS Swift & Company for a Conditional Use Permit for a Temporary Parking Lot Located at 435 Stuhr Road. Craig Lewis, Building Department Director reported that JBS Swift & Company had submitted an application for a conditional use permit for a temporary parking lot located at 435 Stuhr Road. Staff recommended approval for one year with the condition of controlling any dust created from the parking lot during any dry months.

Ron Miller, 704 South Cherry Street spoke in opposition and John Ditter, 705 West 6th Street, Giltner, Nebraska spoke in support. No further public testimony was heard.

Public Hearing on Request from Foth o/b/o Union Pacific Railroad for a Conditional Use Permit for Continued Use of Two (2) Skid-Mounted Sheds for Operation of a Blower and Compressor for Remediation Located at 1219 1/2 West North Front Street. Craig Lewis, Building Department Director reported that Brian Symons of Foth Infrastructure & Environment on behalf of Union Pacific Railroad had submitted an application for the continued use of a Conditional use Permit to allow two (2) skid-mounted sheds for the operation of a blower and compressor for remediation located at 1219 1/2 West North Front Street. Staff recommended approval for two additional years. 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:

#9252 – Consideration of Vacation of a Utility Easement Located at 435 South Stuhr Road (Swift Beef Company)

#9253 – Consideration of Amending the Grand Island City Code Chapter 12 Regarding Civil Service

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.

#9252 – Consideration of Vacation of a Utility Easement Located at 435 South Stuhr Road (Swift Beef Company)

Public Works Director Steve Riehle reported that Ordinance #9252 would vacate a 10’ wide utility easement along the east side of the lot and a 20’ trail and utility easement along the south side of the lot in the V & C Subdivision. There were no utilities within the easements and non anticipated in the future.

Discussion was held on whether the house on the property would be moved as it was one of the oldest houses in Grand Island and on future parking in the area.

Motion by Meyer, second by Gilbert to approve Ordinance #9252.

City Clerk: Ordinance #9252 on first 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, Gilbert, Haase, Carney, Ramsey, Zapata, and Nickerson voted aye. Councilmember Gericke voted no. Motion adopted.

City Clerk: Ordinance #9252 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Councilmember’s Meyer, Gilbert, Haase, Carney, Ramsey, Zapata, and Nickerson voted aye. Councilmember Gericke voted no. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9252 is declared to be lawfully adopted upon publication as required by law.

#9253 – Consideration of Amending the Grand Island City Code Chapter 12 Regarding Civil Service

Humans Resource Director Brenda Sutherland reported that Ordinance #9253 would reflect the changes made in the Salary Ordinance passed at the February 23, 2010 City Council meeting relating to the Fire Department.

Motion by Meyer, second by Gilbert to approve Ordinance #9253.

City Clerk: Ordinance #9253 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 #9253 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 #9253 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. Motion adopted.

Approving Minutes of February 23, 2010 City Council Regular Meeting.

#2010-60 – Approving Bid Award for Cooling Tower Fire Protection at Platte Generating Station with Nebraska Fire Sprinkler of Alda, Nebraska in an Amount of \$55,500.00.

#2010-61 – Approving Bid Award for Transfer House Fire Protection upgrade at Platt Generating Station with Nebraska Fire Sprinkler of Alda, Nebraska in an Amount of \$79,800.00.

#2010-62 – Approving Bid Award for Precipitator and Duct Cleaning at Platte Generating Station with W-S Industrial Services, Inc. of Council Bluffs, Iowa in an Amount of \$52,087.00.

#2010-63 – Approving Bid Award for Hot-Mix Asphalt for 2010 with Gary Smith Construction Co. of Grand Island, Nebraska in an Amount of \$46.35 per ton for Type “A” Asphaltic Concrete; \$44.56 per ton for Type “B” Asphaltic Concrete; and \$46.95 per ton for Type “C” Asphaltic Concrete.

#2010-64 – Approving Bid Award for Concrete Ready-Mix for 2010 with Gerhold Concrete Co., Inc. of Grand Island, Nebraska in an Amount of \$70.00 per cubic yard.

#2010-65 – Approving Bid Award for Concrete Pavement & Storm Sewer Repairs 2010 with OK Paving of Hordville, Nebraska in an Amount of \$745,809.60.

#2010-66 – Approving Agreement for the Nebraska Children and Families Foundation for a Foster Youth Advisor and Council Development Grant.

#2010-67 – Approving Application and Memorandum of Understanding for Safe Havens: Office on Violence Against Women Grant.

#2010-68 – Approving Broker Contract and Business Associate Agreement with Cal Strong of Strong Financial Resources, Inc. to Provide Broker Services for Health and Dental Plan in an Amount of \$18,000.00 per year.

#2010-69 – Approving Setting Public hearing Date of March 23, 2010 for Annexation of Property Located at 3609 East US Highway 30 and 803 North Shady Bend Road.

#2010-70 – Approving Purchase of Leased Copy Machines from Capital Business Systems, Inc./Modern Methods in an Amount of \$4,908.00 plus per copy/print costs per page.

#2010-71 – Approving Grand Generation Center Kitchen Addition & Renovation Change Order #6 with Chief Construction Company of Grand Island, Nebraska for an Increase of \$382.50.

REQUESTS AND REFERRALS:

Consideration of Request from JBS Swift & Company for a Conditional Use Permit for a Temporary Parking Lot Located at 435 Stuhr Road. This item related to the aforementioned Public Hearing. Discussion was held regarding odor from JBS Swift and the expansion of the plant.

Motion by Meyer, second by Zapata to approve the request from JBS Swift & Company for a Conditional Use Permit for a temporary parking lot located at 435 Stuhr Road for one year and the condition of controlling any dust created from the parking lot during any dry months. Upon roll call vote, Councilmember's Meyer, Gilbert, Haase, Carney, Nickerson, and Zapata voted aye. Councilmember's Ramsey and Gericke voted no. Motion adopted.

Consideration of Request from Foth Infrastructure & Environment, LLC o/b/o Union Pacific Railroad for a Conditional Use Permit for Continued Use of Two Skid-Mounted Sheds Located at 1219 1/2 West North Front Street. This item related to the aforementioned Public Hearing.

Motion by Meyer, second by Gilbert to approve the request Foth Infrastructure & Environment, LLC o/b/o Union Pacific Railroad for a Conditional Use Permit for the continued use of two skid-mounted sheds located at 1219 1/2 West North Front Street for two years. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2010-72 – Consideration of Request from Julio Melesio dba Copas De Oro, 413 West 4th Street for a Class "C" Liquor License. This item related to the aforementioned Public Hearing. Attorney John Placke, 120 West Koenig Street representing Julio Melesio spoke in support.

Motion by Gilbert, second by Zapata to forward to the Liquor Control Commission with “no recommendation”. Upon roll call vote, Councilmember’s Meyer, Gilbert, Haase, Carney, Ramsey, Zapata, and Nickerson voted aye. Councilmember Gericke voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Meyer, second by Ramsey to approve the Claims for the period of February 24, 2010 through March 9, 2010, for a total amount of \$2,018,203.98. Unanimously approved.

Motion by Meyer, second by Ramsey to approve the Claims for the period of February 24, 2010 through March 9, 2010 for the State Fair Recreation Building for a total amount of \$3,230.68. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 7:45 p.m.

RaNae Edwards
City Clerk