



City of Grand Island

Tuesday, April 27, 2010

Council Session

Item G2

Approving Minutes of April 13, 2010 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 13, 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 April 13, 2010. Notice of the meeting was given in *The Grand Island Independent* on April 7, 2010.

Mayor Hornady called the meeting to order at 7:00 p.m. The following City Councilmember's were present: Meyer, Niemann, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke. The following City Officials were present: City Administrator Jeff Pederson, City Clerk RaNae Edwards, City Attorney Dale Shotkoski, Finance Director Mary Lou Brown, 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 Sarah Stoltenberg and Allison Hoover and Board member Liz Mayfield. Mayor Hornady reminded everyone to return their census form by this Friday. Also mentioned was Grand Island's Little Theatre last production for this season on Friday and Saturday.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Child Abuse Prevention Month" April, 2010. Mayor Hornady proclaimed the month of April, 2010 as "Child Abuse Prevention Month". Diane Mulbach was present to receive the proclamation and hand out blue ribbons.

Proclamation "Nebraska Public Health Month" April, 2010. Mayor Hornady proclaimed the month of April, 2010 as "Nebraska Public Health Month". Teresa Anderson, Executive Director of Central District Health Department was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Highway Motels of Nebraska, Inc. dba Holiday Inn Express, 3404 West Faidley Avenue for a Class "T" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "T" Liquor License had been received from Highway Motels of Nebraska, Inc. dba Holiday Inn Express, 3404 West Faidley Avenue. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 19, 2010; notice to the general public of date, time, and place of hearing published on April 3, 2010; notice to the applicant of date, time, and place of hearing mailed on March 22, 2010; 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 on the South Side of the Alley Between 4th Street and the UPRR Tracks, East of Cedar Street (Five Points Bank). Steve Riehle, Public Works Director reported that a utility easement was needed on the south side of the alley between 4th Street and the UPRR Tracks, east of Cedar Street to have access to install, upgrade, maintain and repair power appurtenances, including lines and transformers. This would allow for a drive-up window for a new U-Save Pharmacy. Staff recommended approval. No public testimony was heard.

Public Hearing for Neighborhood Stabilization Program Property Purchases. Joni Kuzma, Community Development Administrator reported that Community Development was proposing the purchase of the structures and properties at 522 N. Beal Street and 2811 West 4th Street for demolition. Staff recommended approval. No public testimony was heard.

Public Hearing on the Semi-Annual Report by the Citizens' Review Committee on the Economic Development Program Plan. Mark Stelk, CRC President, 3117 Brentwood Drive gave the semi-annual report. No public testimony was heard.

Public Hearing on Request from Upper Plains Contracting, Inc. for a Conditional Use Permit for Concrete Batch Plant Site Located at 3860 South Locust Street. Craig Lewis, Building Department Director reported that Upper Plains Contracting, Inc. had submitted an application for a conditional use permit located at 3860 South Locust Street to place a concrete batch plant site on property owned by Hooker Brothers Sand & Gravel for May and June of 2010. Staff recommended approval for six months. Ignaciol Contreras, 3892 South Locust Street spoke in opposition. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Between White Cloud and Abbot Roads, and Between Engleman and North Roads (Glen and Betty Weise). Gary Mader, Utilities Director reported that a utility easement was needed located near the north/south section line between White Cloud Road and Abbot Road, and Engleman Road and North Road in order to have access to install, upgrade, maintain and repair the new 115 kV transmission line to the northwest of the City. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Between One R and Chapman Roads and Between North and Engleman Roads (Robert and Kay Fielding). Gary Mader, Utilities Director reported that a utility easement was needed located between One R Road and Chapman Road, and between Engleman Road and North Road in order to have access to install, upgrade, maintain and repair the new 115 kV transmission line to the northwest of the City. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Between One R and Chapman Roads and Between North and Engleman Roads (Parcel #1) (Thomas and Linda Atkins). Gary Mader, Utilities Director reported that a utility easement was needed located between One R Road and Chapman Road, and between Engleman Road and North Road in order to have access to install, upgrade, maintain and repair the new 115 kV transmission line to the northwest of the City. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Between One R and Chapman Roads and Between North and Engleman Roads (Parcel #2) (Thomas and Linda Atkins). Gary Mader, Utilities Director reported that a utility easement was needed located between One R Road and Chapman Road, and between Engleman Road and North Road in order to have access to install, upgrade, maintain and repair the new 115 kV transmission line to the northwest of the City. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Between Prairie Road and Chapman Roads, and Between Engleman and North Roads (Elmer E. Pollock). Gary Mader, Utilities Director reported that a utility easement was needed located between Prairie Road and Chapman Road, and between Engleman Road and North Road in order to have access to install, upgrade, maintain and

repair the new 115 kV transmission line to the northwest of the City. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Between White Cloud Road and One R Road, and Between Engleman Road and North Road (Jeff and Susan Koch). Gary Mader, Utilities Director reported that a utility easement was needed located between White Cloud Road and One R Road, and between Engleman Road and North Road in order to have access to install, upgrade, maintain and repair the new 115 kV transmission line to the northwest of the City. Staff recommended approval. No public testimony was heard.

ORDINANCES:

#9254 – Consideration of Annexation Request of a Tract of Land Being Platted as Shady Bend Subdivision and Adjacent Right-of-Way Located South of U.S. Highway 30 and West of the New Shady Bend Road (Second Reading)

This was the second of three readings.

Motion by Gilbert, second by Zapata to approve Ordinance #9254 on second reading. Upon roll call vote, all voted aye. Motion adopted.

Councilmember Gilbert moved “that the statutory rules requiring ordinances to be read by title on three different days be suspended and that ordinances numbered:

#9258 – Consideration of the Conveyance of 522 N. Beal Street and 2811 West 4th Street

#9259 – Consideration of Amending Chapter 31 of the Grand Island City Code Relative to Signs

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.

#9258 – Consideration of the Conveyance of 522 N. Beal Street and 2811 West 4th Street

#9259 – Consideration of Amending Chapter 31 of the Grand Island City Code Relative to Signs

Ordinance #9258 related to the aforementioned Public Hearing.

Craig Lewis, Building Department Director reported that Ordinance #9259 would allow the square footage of signage to be increased to 1.18 square foot of signage for each one foot of frontage in excess of the first 150 feet and allow any single sign square footage to be increased from 200 to 350 square feet along Locust Street A-C corridor. Joseph McDermott, Executive Director of the Nebraska State Fair, 4117 Fleetwood spoke in support.

Discussion was held regarding the sign for the State Fair and Fonner Park. Business Improvement District #3 and #4 were discussed. Mr. Lewis stated this amendment would affect BID #4 and not BID #3.

Motion by Meyer, second by Nickerson to approve Ordinances #9258 and #9259.

City Clerk: Ordinances #9258 and #9259 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 #9258 and #9259 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 #9258 and #9259 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-16 and G-17 were pulled for further discussion. Motion by Zapata, second by Gericke to approve the Consent Agenda excluding items G-16 and G-17. Upon roll call vote, all voted aye. Motion adopted.

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

#2010-94 – Approving the Purchase of 522 N. Beal Street and 2811 West 4th Street.

#2010-95 – Approving Interlocal Agreement for Compact for Apprehension of Narcotics Dealers and Offenders (CANDO).

#2010-96 – Approving Contract for HIDTA Grant Funding in the Amount of \$53,692.00 for 2010-2011.

#2010-97 – Approving E-Payment Services and Payment Card Industry Data Security Standards with US Bank.

#2010-98 – Approving Bid Award for Burdick Station Diesel Fuel Tank and Rogers Reservoir #1 Painting with W.S. Bunch Company of Omaha, Nebraska in an Amount of \$161,217.00.

#2010-99 – Approving Bid Award for 2010 Truck with Digger Derrick Unit for Utilities Line Division with Terex Utilities of San Antonio, Texas in an Amount of \$208,765.00.

#2010-100 – Approving Change Order #1 for On-Site Technical Advisor for GT3 Combustion Inspection at Burdick Station with General Electric International of Omaha, Nebraska for an Increase of \$12,800.00 and a Revised Contract Amount of \$55,402.05.

#2010-101 – Approving Acquisition of Utility Easement Located Between White Cloud Road and Abbot Road, and Between Engleman Road and North Road (Glen and Betty Weise).

#2010-102 – Approving Acquisition of Utility Easement Located Between One R Road and Chapman Road, and Between North road and Engleman Road (Robert and Kay Fielding).

#2010-103 – Approving Acquisition of Utility Easement Located Between One R Road and Chapman Road, and Between Engleman Road and North Road (Parcel #1) (Thomas and Linda Atkins).

#2010-104 – Approving Acquisition of Utility Easement Located Between One R Road and Chapman Road, and Between Engleman Road and North Road (Parcel #2) (Thomas and Linda Atkins).

#2010-105 – Approving Acquisition of Utility Easement Located Between Prairie Road and Chapman Road, and Between Engleman Road and North Road (Elmer E. Pollock).

#2010-106 – Approving Acquisition of Utility Easement Located Between White Cloud Road and One R Road, and Between Engleman Road and North Road (Jeff and Susan Koch).

#2010-107 – Approving Acquisition of Utility Easement Located on the South Side of the Alley Between 4th Street and the UPRR Tracks, East of Cedar Street (Five Points Bank).

#2010-108 – Approving Proposal for Professional Engineering Consulting Services Regarding Wastewater Treatment Capacity Analysis, Treatment Process Alternative & Rate Model Work with Black & Veatch of Kansas City, Missouri, and with Olsson Associates of Grand Island, Nebraska as a Sub-Consultant for a Maximum Amount of \$59,800.00. Public Works Director Steve Riehle explained the process and reason for the Professional Engineering Consulting services. Discussion was held regarding the digester, rate model structure, aeration project, load capacity, past and future debt, JBS contribution and reduced revenue from JBS along with odor and expanded pre-treatment.

Motion by Gilbert, second by Ramsey to approve Resolution #2010-108. Upon roll call vote, all voted aye. Motion adopted.

#2010-109 – Approving Semi-Annual Report by the Citizens' Review Committee on the Economic Development Program Plan. Marlan Ferguson, Economic Development President commented on the number of jobs lost in Grand Island. Mentioned was the net gain for the community through existing companies. Northwestern rate surcharge was discussed.

Motion by Dugan, second by Meyer to approve Resolution #2010-109. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Upper Plains Contracting, Inc. for a Conditional Use Permit for Concrete Batch Plant Site Located at 3860 South Locust Street. This item was related to the aforementioned Public Hearing.

Motion by Gilbert, second by Ramsey to approve the request from Upper Plains Contracting, Inc. for a Conditional Use Permit for a concrete batch plant site located at 3860 South Locust Street for a six month period starting in April of 2010, finding that the request does promote the health, safety, and general welfare of the community, protects against blight and depreciation, and is generally harmonious with the surrounding neighborhood as a temporary use. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2010-110 – Consideration of Request from Highway Motels of Nebraska, Inc. dba Holiday Inn Express, 3404 West Faidley Avenue for a Class 'I' Liquor License and Liquor Manager Designation for Melvin Wichman, 2518 Jan Street. This item related to the aforementioned Public Hearing.

Motion by Ramsey, second by Zapata to approve Resolution #2010-110 contingent upon final inspections and Mr. Wichman completing a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2010-111 – Consideration of Healthcare Premium Holidays. Finance Director Mary Lou Brown reported that three healthcare premium holidays for the City department and the City employees would save approximately \$420,000 which would help close the budget shortfall for 2009/2010 budget year.

Requested were reports of funds like these. Human Resources Director Brenda Sutherland commented on the reinsurance excess coverage, limits per person, balance, wellness program, and the reserve bank.

Motion by Ramsey, second by Zapata to approve Resolution #2010-111. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of March 24, 2010 through April 13, 2010, for a total amount of \$5,428,311.49. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the Period of February 24, 2010 through April 13, 2010 for the Veterans Athletic Field Complex for a total amount of \$56,207.00. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the period of March 24, 2010 through April 13, 2010 for the State Fair Recreation Building for a total amount of \$3,474.99. Unanimously approved.

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

RaNae Edwards
City Clerk