



# **City of Grand Island**

**Tuesday, June 08, 2010**

**Council Session**

## **Item G1**

**Approving Minutes of May 25, 2010 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 25, 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 May 25, 2010. Notice of the meeting was given in *The Grand Island Independent* on May 19, 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, Nickerson, Zapata, 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 Dillon Spies and Miguel Baeza.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Patrick Karr, Power Plant Materials Handler with the Utilities Department for 20 Years of Service with the City of Grand Island. Mayor Hornady and the City Council recognized Patrick Karr, Power Plant Materials Handler for 20 years of service with the City of Grand Island. Utilities Director Gary Mader commented on Mr. Karr's service with the Utilities Department. Patrick Karr was present to receive the recognition.

Recognition of Steven Mettenbrink, Power Plant Instrument Technician with the Utilities Department for 30 Years of Service with the City of Grand Island. Mayor Hornady and the City Council recognized Steven Mettenbrink, Power Plant Instrument Technician for 30 years of service with the City of Grand Island. Utilities Director Gary Mader commented on Mr. Mettenbrink's service with the Utilities Department. Steven Mettenbrink was present to receive the recognition.

Recognition of Bradley Titman, Wastewater Plant Process Supervisor with the Public Works Department for 25 Years of Service with the City of Grand Island. Mayor Hornady and the City Council recognized Bradley Titman, Wastewater Plant Process Supervisor for 25 years of service with the City of Grand Island. Public Works Director Steve Riehle commented on Mr. Titman's service with the Public Works Department. Bradley Titman was present to receive the recognition.

Presentation of Application for Edward Byrne Memorial Justice Assistance Grant (JAG) 2010. Police Chief Steve Lamken reported that the Grand Island Police Department and Hall County Sheriff's Department was eligible to receive a Justice Assistance Grant in the amount of \$31,494.00. A condition of the grant was to submit the application to the governing body not less than 30 days before the application was due. This item will be brought back to the June 8, 2010 Council meeting for a public hearing and resolution.

PUBLIC HEARINGS:

Public Hearing on Request from Ronald King dba RK's Pub, 217 E. Stolley Park Road #6 & #7 for a Change of Location to 217 E. Stolley Park Road Suite N for Class "C-59418" Liquor License. RaNae

Edwards, City Clerk reported that an application for a change of location for Class “C-59418” Liquor License had been received from Ronald King dba RK’s Pub, 217 E. Stolley Park Road #6 & #7 to 217 E. Stolley Park Road Suite N. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 4, 2010; notice to the general public of date, time, and place of hearing published on May 15, 2010; notice to the applicant of date, time, and place of hearing mailed on May 4, 2010; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Redevelopment Plan for Real Estate Located between 107 and 203 East Stolley Park Road. Chad Nabity, Regional Planning Director reported that Ken-Ray LLC, (developer) had submitted a proposed amendment to the redevelopment plan that would provide for the construction of a 17,500 square foot commercial retail/office building on property at the southeast corner of Stolley Park Road and South Locust Street in the CRA Area #2. Staff recommended approval. No public testimony was heard.

Public Hearing Concerning Acquisition of Utility Easements Located at 4100 West Husker Highway, 3303 and 3311 Firestone Street (Indianhead Golf Club). Gary Mader, Utilities Director reported that utility easements were needed at 4100 West Husker Highway, 3303 and 3311 Firestone Street in order to remove an overhead line and place a new three phase underground conduit and cable from the entrance of the Golf Club parking lot to a new pad-mounted transformer. Staff recommended approval. No public testimony was heard.

Public Hearing Concerning Acquisition of Utility Easement Located between Airport Road and Abbott Road, and between North Road and Webb Road (Max and Lizbeth Mader). Gary Mader, Utilities Director reported that acquisition of utility easement located between Airport Road and Abbott Road, and between North Road and Webb Road was needed in order to construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$1,615.00. Staff recommended approval. No Public testimony was heard.

Public Hearing Concerning Acquisition of Utility Easement located between White Cloud Road and Abbott Road, and between North Road and Engleman Road (Lloyd and Patricia Mader). Gary Mader, Utilities Director reported that acquisition of utility easement located between White Cloud Road and Abbott Road, and between North Road and Engleman Road was needed in order to construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$51,286.84.00. 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 are suspended and that ordinance numbered:

#9261 – Consideration of Text Amendment to Chapter 36-103 of the Grand Island City Code Relative to Wind Energy Systems (Second 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 second 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, Councilmember’s Meyer, Niemann, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, and Nickerson voted aye. Councilmember Gericke voted no. Motion adopted.

**#9261 – Consideration of Text Amendment to Chapter 36-103 of the Grand Island City Code Relative to Wind Energy Systems (Second and Final Reading)**

Chad Nabity, Regional Planning Director reported this item related to the Public Hearing held on May 11, 2010. He reported that changes to the Grand Island City Code Chapter 36-103 were being proposed to repeal the existing regulations and replace them with updated regulations including micro, small and commercial wind energy conversion systems and regulations to allow all three sizes under differing circumstances. Staff recommended approval.

Motion by Carney, second by Dugan to approve Ordinance #9261.

Discussion was held on the size of lots, height of towers, inspections, maintenance, and enforcement. Senator Mike Gloor, 3115 Brentwood Circle spoke in support.

Motion by Gilbert, second by Ramsey to amend Ordinance #9261 to require that wind powered generation towers have a minimum of 20,000 square feet per lot. Upon roll call vote, Councilmember's Meyer, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember Niemann voted no. Motion adopted.

City Clerk: Ordinance #9261 on second reading and final passage. All those in favor of the passage of this ordinance on second reading and final passage, answer roll call vote. Councilmember's Meyer, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, and Nickerson voted aye. Councilmember's Niemann and Gericke voted no. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9261 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent agenda items G-2 and G-3 were removed for further discussion. Motion by Zapata, second by Nickerson to approve the Consent Agenda excluding items G-2 and G-3. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 11, 2010 City Council Regular Meeting.

#2010-133 – Approving Acquisition of Utility Easement Located at 3311 Firestone Street – Lot 4, Block 1, Fairway Crossings at Indianhead Golf Club 1<sup>st</sup> Subdivision (Indianhead Golf Club).

#2010-134 – Approving Acquisition of Utility Easement Located at 3303 Firestone Street – Lot 5, Block 1, Fairway Crossings at Indianhead Golf Club 1<sup>st</sup> Subdivision (Indianhead Golf Club).

#2010-135 – Approving Acquisition of Utility Easement Located at 4100 West Husker Highway – Part of Section 26-11-10 (Indianhead Golf Club).

#2010-136 – Approving Acquisition of Utility Easement Located between Airport Road and Abbott Road, and between North Road and Webb Road (Max and Lizbeth Mader).

#2010-137 – Approving Acquisition of Utility Easement Located between White Cloud Road and Abbott Road, and between North Road and Engleman Road (Lloyd and Patricia Mader).

#2010-138 – Approving Amendment #1 to the Consent to Access for EPA Environmental Response Action Agreement.

#2010-139 – Approving Bid Award for Substation Power Transformers, Contract #10-PCC-02 with Delta Star, Inc. of San Carlos, California in an Amount of \$1,467,772.50.

#2010-140 – Approving Agreement with Open Access Technology, Inc. (OATI) Webcares for Transmission Reporting Security.

#2010-141 – Approving Award of Proposal for Consulting Services for the Re-Permitting of the Solid Waste Landfill with AquaTerra Environmental Solutions, Inc. of Omaha, Nebraska in an Amount not-to-exceed \$43,605.00

#2010-142 – Approving Agreement with the Nebraska Department of Roads for Mormon Island Trail Bridges. Councilmember Meyer voted no.

#2010-143 – Approving Bid Award for Relocation and Reconstruction of Multi Purpose Building for the Veterans Athletic Field Complex with Tri Valley Builders, Inc. of Grand Island, Nebraska in an Amount of \$88,000.00.

#2010-144 – Approving Bid Award Installation of New Turf at City Fieldhouse Building with All Sports Enterprises of Exton, Pennsylvania in an Amount of \$211,030.00 and Installation of Synthetic Court Flooring at City Fieldhouse Building with Midwest Floor Covering of Lincoln, Nebraska in an Amount of \$69,894.00.

Approving Re-Appointments of Karl Kostbahn and Nancy Jones and New Appointments of Rebecca Rosenlund and Alan Lepler to the Library Board. Comments were made thanking those people who serve on boards and commissions.

Motion by Dugan, second by Gilbert to approve the re-appointments of Karl Kostbahn and Nancy Jones and new appointments of Rebecca Rosenlund and Alan Lepler to the Library Board. Upon roll call vote, all voted aye. Motion adopted.

#2010-132 – Approving Redevelopment Plan for Real Estate Located between 107 and 203 East Stolley Park Road. Discussion was held regarding TIF projects and the Comprehensive Plan for the City. Questions were asked about the feasibility of this project without TIF financing and the community need for more commercial property.

Ray O'Connor, (developer), 611 Fleetwood Road commented on this property being the future site of a medical clinic and that the project would not go forward without TIF financing.

Motion by Gilbert, second by Ramsey to approve Resolution #2010-132. Upon roll call vote, Councilmember's Meyer, Niemann, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, and Nickerson voted aye. Councilmember Gericke voted no. Motion adopted.

#### RESOLUTIONS:

#2010-145 – Consideration of Request from Ronald King dba RK's Pub, 217 E. Stolley Park Road #6 & #7 for a Change of Location to 217 E. Stolley Park Road Suite N for Class "C-59418" Liquor License. This item related to the aforementioned Public Hearing.

Motion by Meyer, second by Niemann to approve Resolution #2010-145 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2010-146 – Approving Lease Agreement for Management and Operation of the Racquet Center with the Grand Island Tennis Association. Steve Paustian, Parks and Recreation Director reported that the City requested proposals to manage the Racquet Center. Two proposals were submitted and reviewed by the City Administrator and the Parks and Recreation Director. It was determined that the proposal provided by the Grand Island Tennis Association best served the interest of the citizens of Grand Island.

Mark Galvan, 584 East Wayne thanked the council for the support in starting the Softball Association. He spoke of concerns regarding safety at the Fieldhouse, scheduling, affordability and availability.

A lengthy discussion was had regarding the lease agreement, business plan, and building upkeep. Fees for the Fieldhouse were mentioned.

Motion by Ramsey, second by Dugan to approve Resolution #2010-146. Upon roll call vote, Councilmember's Meyer, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, and Nickerson voted aye. Councilmember's Niemann and Gericke voted no. Motion adopted.

#### PAYMENT OF CLAIMS:

Motion by Dugan, second by Gericke to approve the Claims for the period of May 12, 2010 through May 25, 2010, for a total amount of \$3,656,236.61. Unanimously approved.

Motion by Dugan, second by Gericke to approve the Claims for the Period of May 11, 2010 through May 25, 2010 for the Veterans Athletic Field Complex for a total amount of \$117,609.70. Unanimously approved.

Motion by Dugan, second by Gericke to approve the Claims for the Period of April 28, 2010 through May 25, 2010 for the State Fair Recreation Building for a total amount of \$306,000.00. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

RaNae Edwards  
City Clerk