



City of Grand Island

Tuesday, August 10, 2010

Council Session

Item G1

Approving Minutes of July 27, 2010 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

July 27, 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 July 27, 2010. Notice of the meeting was given in *The Grand Island Independent* on July 21, 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, Ramsey, Zapata, Nickerson, and Gericke. Councilmember Dugan was absent. 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 Garrett Coble and Brock Schmidt. Mayor Hornady stated, on behalf of the City of Grand Island we would like to extend our condolences to Kearney Mayor Stan Clause whose wife LeAnn passed away on Sunday.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Blue Ribbon Roll Out Week" August 2-8, 2010. Mayor Hornady proclaimed the week of August 2-8, 2010 as "Blue Ribbon Roll Out Week". Lindsey Koepke, Executive Director of the Nebraska State Fair 1868 Foundation was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement located between One R and White Cloud Roads and between North and Engleman Roads (George and Sherril Albin). Gary Mader, Utilities Director reported that acquisition of a utility easement located between One R and White Cloud Roads, and between North and Engleman Roads was needed in order to construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$2,458.63. Staff recommended approval. No Public testimony was heard.

Public Hearing on Acquisition of Utility Easement located between One R and White Cloud Roads, and between North and Engleman Roads (Michael and Heidi Isley). Gary Mader, Utilities Director reported that acquisition of a utility easement located between One R and White Cloud Roads, and between North and Engleman Roads was needed in order to construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$1,500.00. Staff recommended approval. No Public testimony was heard.

Public Hearing on Acquisition of Utility Easement located between Abbott and White Cloud Roads, and between North and Engleman Roads (Robert and Reburta Wenzl – Tract #1). Gary Mader, Utilities Director reported that acquisition of a utility easement located between Abbott and White Cloud Roads, and between North and Engleman Roads was needed in order to

construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$12,903.00. 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 Reburta Wenzl – Tract #2). Gary Mader, Utilities Director reported that acquisition of a utility easement located between One R and Chapman Roads, and between North and Engleman Roads was needed in order to construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$24,442.36. Staff recommended approval. No Public testimony was heard.

Public Hearing on Acquisition of Utility Easement located between One R and White Cloud Roads, and between North and Engleman Roads (Robert and Dianna Mettenbrink). Gary Mader, Utilities Director reported that acquisition of a utility easement located between One R and White Cloud Roads, and between North and Engleman Roads was needed in order to construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$23,949.90. Staff recommended approval. No Public testimony was heard.

Public Hearing on Annexation Request of a Tract of Land Being Platted as Lake Heritage Second Subdivision located at the Southeast Corner of U.S. Highway 34 and Blaine Street. Chad Nabity, Regional Planning Director reported that the owner of land located at the southeast corner of U.S. Highway 34 and Blaine Street being platted as Lake Heritage Second Subdivision had submitted Lake Heritage Second Subdivision as an addition to the City and requested annexation of this property. 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:

#9265 – Consideration of Amending Chapters 8, 15, 17, 18, 26, and 31 of the Grand Island City Code Relative to Insurance and Sign Hanger’s Licenses

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, all voted aye. Motion adopted.

Craig Lewis, Building Department Director reported that City Code required insurance to be provided as part of licensing or registration. The insurance industry had revised existing requirements as they related to the Grand Island City Code. The proposed ordinance would amend City Code sections to provide uniform language and modify the requirements of insurance coverage to meet current industry standards.

Motion by Meyer, second by Nickerson to approve Ordinance #9265.

City Clerk: Ordinance #9265 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 #9265 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 #9265 is declared to be lawfully adopted upon publication as required by law.

#9266 – Consideration of Annexation Request of a Tract of Land Being Platted as Lake Heritage Second Subdivision Located at the Southeast Corner of U.S. Highway 34 and Blaine Street (First Reading)

This item related to the aforementioned Public Hearing. This was the first of three readings. Discussion was held regarding sanitary sewer and water access. Mr. Nabity explained the layout of the lots and access to the property.

Motion by Meyer, second by Niemann to approve Ordinance #9266 on first reading. Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA: Consent agenda items G-20, G-21, G-22 and G-23 were pulled for further discussion. Motion by Zapata, second by Ramsey to approve the Consent Agenda excluding items G-20, G-21, G-22 and G-23. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of July 12, 2010 Annual Joint Central District Health Department Meeting.

Approving Minutes of July 13, 2010 City Council Regular Meeting.

Approving Minutes of July 20, 2010 City Council Study Session.

Approving Re-Appointments of Donald Skeen and Steve Grubbs and New Appointment of Mike Spilinek to the Building Code Advisory Board.

Approving Re-Appointment of Bob Loewenstein and New Appointment of Lori Wilson to the Community Development Advisory Board.

Approving Re-Appointment of Scott Zana to the Heartland Events Center Board.

Approving Preliminary Plat for Lake Heritage 2nd Subdivision.

#2010-191 – Approving Final Plat and Subdivision Agreement for Northview Eighth Subdivision. It was noted that Pinnacle Bank, owner had submitted the Final Plat and Subdivision Agreement for Northview Eighth Subdivision for the purpose of creating 20 lots located east of Idaho Avenue and south of NE Highway 2 comprising of approximately 7.25 acres.

#2010-192 – Approving Acquisition of Utility Easement Located Between One R and White Cloud Roads, and Between North and Engleman Roads (George and Sherril Albin).

#2010-193 – Approving Acquisition of Utility Easement Located Between One R and White Cloud Roads, and Between North and Engleman Roads (Michael and Heidi Isley).

#2010-194 – Approving Acquisition of Utility Easement Located Between Abbott and White Cloud Roads, and Between North and Engleman Roads (Robert and Reburta Wenzl – Tract #1).

#2010-195 – Approving Acquisition of Utility Easement Located Between One R and Chapman Roads, and Between North and Engleman Roads (Robert and Reburta Wenzl – Tract #2).

#2010-196 – Approving Acquisition of Utility Easement Located Between One R and White Cloud Roads, and Between North and Engleman Roads (Robert and Dianna Mettenbrink).

#2010-197 – Approving Bid Award for Liquid Ortho-Polyphosphate for Corrosion Control with Carus Phosphates, Inc. of Belmont, North Carolina in an Annual Estimated Amount of \$91,185.75.

#2010-198 – Approving Consent to Assignment of Pole Attachment Agreement from Galaxy Cable to Zito Midwest, LLC.

#2010-199 – Approving Interlocal Agreement for Cooperative Public Safety Services Relating to Interoperable Radio System.

#2010-200 – Approving Purchase of a Skid Steer Loader for Use in the Concrete Repair Operations at the Street Division with Central Nebraska Bobcat of Grand Island, Nebraska in a Replacement Amount of \$2,700.00.

#2010-201 – Approving Revision to Commercial Electric Deposit Interest Rate.

#2010-202 – Approving Peter Keiwit Grant Agreement.

#2010-203 – Approving FY 2010-2011 Annual Budget for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road, and Setting Date for Board of Equalization for September 14, 2010. Discussion was held regarding cash balances and deficits for this budget. Cindy Johnson, Chamber of Commerce President, 309 West 2nd Street explained BID #4 had a cash balance as of June 30, 2010 of \$21,615.00. The Board wanted to keep assessments as low as possible.

Motion by Gilbert, second by Ramsey to approve Resolution #2010-203. Upon roll call vote, all voted aye. Motion adopted.

#2010-204 – Approving FY 2010-2011 Annual Budget for Business Improvement District #6, Second Street, and Setting Date for Board of Equalization for September 14, 2010. Discussion was held regarding cash balances and deficits for this budget. Cindy Johnson, Chamber President, 309 West 2nd Street explained BID #6 had a cash balance as of June 30, 2010 of \$60,774.00.

Motion by Gilbert, second by Ramsey to approve Resolution #2010-204. Upon roll call vote, all voted aye. Motion adopted.

#2010-205 – Approving FY 2010-2011 Annual Budget for Business Improvement District #7, South Locust Street from Highway 34 to Stolley Park Road, and Setting Date for Board of Equalization for September 14, 2010. Mary Lou Brown, Finance Director reported that the council memo needed to be corrected on the following: Special assessments should be \$5.15 for front footage for a total of \$48,325.00. Cindy Johnson, Chamber President, 309 West 2nd Street explained BID #7 had a cash balance as of June 30, 2010 of \$16,348.10.

Motion by Ramsey, second by Gericke to approve Resolution #2010-205. Upon roll call vote, all voted aye. Motion adopted.

#2010-206 – Approving FY 2010-2011 Annual Budget for Business Improvement District #8, Downtown, and Setting Date for Board of Equalization for September 14, 2010. Mary Lou Brown, Finance Director reported that the council memo needed to be corrected on the following: total taxable value of \$31,790,717 with an assessment request of \$90,000 for a tax levy of .283101.

Mark Stelk, 3117 Brentwood Drive commented on the town hall meetings that were held.

Motion by Ramsey, second by Gericke to approve Resolution #2010-206. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Matthew Casey, 1309 West Stolley Park Road for Liquor Manager Designation for Godfather's Pizza, 1916 South Locust Street. City Clerk RaNae Edwards reported that Matthew Casey, 1309 West Stolley Park Road had submitted an application for a Liquor Manager Designation in conjunction with the Class "A-12626" Liquor License for Godfather's Pizza, 1916 South Locust Street. The Police Department investigation showed several undisclosed convictions on the application making it a false application. Staff recommended denial.

Discussion was held concerning the violations. Matthew Casey, 1309 West Stolley Park Road commented he had submitted a list of violations to the Liquor Control Commission. City Clerk RaNae Edwards stated there was no list attached to the application that was received from the Liquor Control Commission.

Motion by Gericke, second by Nickerson to deny the application from Matthew Casey, 1309 West Stolley Park Road for Liquor Manager Designation for Godfather's Pizza, 1916 South Locust Street. Upon roll call vote, Councilmember's Meyer, Niemann, Gilbert, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember's Carney and Haase voted no. Motion adopted.

RESOLUTIONS:

#2010-207 – Consideration of Economic Development Incentive Agreement with Grand Island Area Economic Development Corporation. City Administrator Jeff Pederson reported that Grand Island Area Economic Development Corporation had submitted an application for LB840

funding to be used exclusively for Public Works Improvements at the Platte Valley Industrial park East. Requested was \$575,000.

Discussion was held on how this would be financed. Mr. Pederson stated tap and assessment districts would be used. There were provisions available through the Utilities and Public Works Departments. Train traffic was mentioned. The City contribution of \$700,000 was discussed relating to rate increases. Mr. Pederson stated there would be no rate increase to water and further study of the sanitary sewer rates needed to be done but did not anticipate an increase. Mentioned was that Block Grants were being looked into.

Marlan Ferguson, 2808 Apache Road, EDC President explained that the \$1,000,000 infrastructure grant from the NE EDC would be available and this was good use of the LB 840 funds. Also mentioned was that state and LB 840 funds would be used first before any City funds were used for the \$2.2 million project.

Motion by Meyer, second by Niemann to approve Resolution #2010-207. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady recused herself from the meeting due to a conflict of interest regarding Resolution #2010-208. President Gilbert presided at the meeting.

#2010-208 – Consideration of Economic Development Incentive Agreement with Hornady Manufacturing, Inc. City Administrator Jeff Pederson reported that Hornady Manufacturing, Inc. had submitted an application for LB840 funding for building expansion and an additional 50 employees. Requested was \$200,000.

Jason Hornady, 2517 Apache Road; Pat Langer, 2208 Woodridge Court; and Mark Kroeker, 2009 15th Road, Hampton, Nebraska, employees of Hornady Manufacturing spoke in support. Gary Quandt, 421 East 3rd Street requested the Council make Hornady Manufacturing annex into the City before funds were given to them.

A lengthy discussion was held regarding Hornady Manufacturing not being in the City limits. County Industrial Parks within the City and the process of annexing them was explained.

Motion by Gericke, second by Ramsey to approve Resolution #2010-208. Upon roll call vote, Councilmember's Niemann, Carney, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember's Meyer and Haase voted no. Motion adopted.

Mayor Hornady returned to conduct the meeting.

PAYMENT OF CLAIMS:

Motion by Meyer, second by Niemann to approve the Claims for the period of July 14, 2010 through July 27, 2010, for a total amount of \$3,661,255.12. Unanimously approved.

Motion by Meyer, second by Niemann to approve the Claims for the Period of July 14, 2010 through July 27, 2010 for the Veterans Athletic Field Complex for a total amount of \$14,192.45. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:25 p.m.

RaNae Edwards
City Clerk