



City of Grand Island

Tuesday, September 28, 2010

Council Session

Item G1

Approving Minutes of September 14, 2010 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

September 14, 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 September 14, 2010. Notice of the meeting was given in *The Grand Island Independent* on September 8, 2010.

Mayor Hornady called the meeting to order at 7:00 p.m. The following City Council members 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, 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 Community Youth Council members Alisia Rivera and Miguel Baeza. Mayor Hornady commented on the State Fair success and thanked all those who worked so hard to make this happen. Mayor Hornady stated this Friday the City would recognize the funeral of 2nd Lt. Mark Nozika who gave his life in Afghanistan. A moment of silence was observed by all in attendance.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Senior Corps Week" September 20-24, 2010. Mayor Hornady proclaimed the week of September 20-24, 2010 as "Senior Corps Week". Julie Nash was present to receive the proclamation.

ADJOURN TO BOARD OF EQUALIZATION: Motion by Meyer, second by Nickerson, carried unanimously to adjourn to the Board of Equalization.

#2010-BE-2 – Consideration of Determining Benefits for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road. Mary Lou Brown, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #4. Special assessments were for the amount of \$27,966.14.

#2010-BE-3 – Consideration of Determining Benefits for Business Improvement District #6, Second Street. Mary Lou Brown, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #6. Special assessments were for the amount of \$32,149.62.

#2010-BE-4 – Consideration of Determining Benefits for Business Improvement District #7, South Locust Street from Stolley Park Road to Highway 34. Mary Lou Brown, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #7. Special assessments were for the amount of \$50,026.84.

#2010-BE-5 – Consideration of Determining Benefits for Business Improvement District #8, Downtown. Mary Lou Brown, Finance Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for BID #8. Special assessments were for the amount of \$89,683.61. Presented were two Resolutions with a 70% and 100% assessment for owner occupied residents.

Paul Warshauer, 217 North Locust Street requested a 60% reduction on his building as he lives in part of it and most of the rest is empty.

Motion by Meyer, second by Ramsey to approve Resolutions #2010-BE-2, #2010-BE-3, #2010-BE-4 and #2010-BE-5 (A). Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Meyer, second by Nickerson carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

Public Hearing on Request from Tokyo Station, Inc. dba Tokyo Station, 2425 N. Diers 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 Tokyo Station, Inc. dba Tokyo Station, 2425 N. Diers Avenue. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on August 25, 2010; notice to the general public of date, time, and place of hearing published on September 4, 2010; notice to the applicant of date, time, and place of hearing mailed on August 25, 2010; along with Chapter 4 of the City Code. Staff recommended approval. Charlie Canfield, 3221 Ponca Circle was available for questions. No further public testimony was heard.

Public Hearing on Request from Edwin Bolanos for a Conditional Use Permit for a Go-Cart Track Located at 613 East 4th Street. Craig Lewis, Building Department Director reported that Edwin Bolanos had submitted an application for a conditional use permit for a go-car tract located at 613 East 4th Street. Staff recommended approval with the following conditions: 1) hours of operation shall be limited to 8:00 a.m. through 11:00 p.m. 2) lights, if installed should not extend past the property line onto neighboring properties, excluding the public right-of-way and railroad property, and 3) dust levels should be controlled such that it does not create a public nuisance. Edwin Bolanos, 613 East 4th Street spoke in support. No further public testimony was heard.

Public Hearing on Request from Island Landhandlers, Inc. for a Conditional Use Permit for a Sand & Gravel Operation Located at 3812 South Blaine Street. Craig Lewis, Building Department Director reported that Island Landhandlers, Inc. had submitted an application for a conditional use permit for a sand and gravel operation located at 3812 South Blaine Street. Staff recommended approval with the following conditions:

1). USE: The proposed uses are limited to those listed in the application, sand and gravel pumping processing, storage, stocking piling, distribution, and sales, both wholesale and retail. Retail sale may also include the sale of black dirt, river rock, and similar landscaping materials. The storage, recycling, or processing of other aggregate materials, such as asphalt or concrete is

not allowable unless specifically listed, nor are the operation of concrete or asphalt batch plants. Neither of these operations have been requested in this application.

2). CLOSURE: A statement on the application identifies the proposed use of the property after the closing of the sand and gravel operation as a possible residential use.

3). PRIMARY CONDITIONS: (a). The permit shall be granted for a period not to exceed 10 years with the possibility of renewal for an additional time at the end of the 10 year period.

(b). Pumping of product shall not be allowed within 150 feet of any public road right of way and protected by a 6 foot earthen berm during pumping. The finished width of developable property adjacent to the public right of way shall be a minimum 300 feet at the time of termination of the operation. A setback of 100 feet from any adjacent property line, and a setback of 250 feet from the Central Platte Natural Resources District Wood River Diversion Channel Levee property shall be maintained between the pumping operations.

(c). Pumping and other activities (including lighting) at the site shall be limited to daylight hours (15) minutes before sunrise and (15) minutes after sunset Mondays through Saturdays. No pumping or other processing activities shall be permitted on Sundays or from fifteen minutes after sunset to fifteen minutes before sunrise. One exception to this condition shall be in the months of March, April, October, and November activities may operate from 6:00a.m. to 7:00p.m. to allow for winter condition.

(d). Any internal combustion pump motors utilized shall be equipped with a functioning "hospital grade muffler" designed to reduce exhaust noise by 32 to 40 decibels.

(e). Materials and equipment shall not be stored on the property within any easements or the regulated floodway as determined by the Federal Emergency Management Agency or its successor and the entity with jurisdiction and authority to enforce floodplain regulations. There is currently along the east edge of the property a 45' electrical easement and an existing transmission line, no product, material or equipment shall be stored within that easement or in such a manner that it would violate any safety provisions of the National Electric Safety Code.

(f). All dead trees, rubbish, and debris, if any must be cleared from the real estate as soon as practical and such real estate must, at all times, be kept in a clean and neat condition.

(g). No trash, rubbish, debris, dead trees, lumber, bricks, refuse or junk material of any nature whatsoever shall be dumped, placed or located upon such real estate.

(h). Applicant shall not use the real estate in any way so as to create or result in an unreasonable hazard or nuisance to adjacent land owners or to the general public.

(i). Applicant shall maintain any and all drainage ditches that may be located upon the real property.

(j). Applicant shall not permit the hauling of sand and gravel from the premises and over and across any public highway or road unless said sand and gravel is complete dry and free from water or is hauled in trucks which are designed and equipped so as to prevent water from leaking onto the traveled portion of the roadbed.

(k). All water accumulated upon the premises by virtue of such mining and pumping operations shall be retained upon the premises and shall not flow upon or encroach upon any adjacent land. Only surface waters that have historically flowed from the premises shall be permitted to leave the same through historical natural drainage ways.

(l). Applicant shall begin the mining operation within a period of 18 months from the issuance of this permit or if the applicant fail to begin operations within the 18 months the permit shall be considered null and void and subject to reapplication and rehearing. Additionally if at anytime during the life of the permit issued the operation shall cease for a period of a continuous 18 months the permit shall become void and a renewal shall be obtained before becoming once again operational.

The following people spoke in opposition:

- Bill Hanssen, 6301 Oak Ridge, Lincoln, NE on behalf of his father Norman Hanssen, 2548 Schimmer Drive
- Richard Fruehling, 3604 South Blaine Street
- John Hanssen, 2715 South Blaine Street
- Joe Luetkenhaus, 1710 Rainbow Road
- Kathy Miller, 4015 Scheel Drive
- Scott LLeisinger, 2119 Bass Road

The following people spoke in support:

- Gerald Williams, 1505 Newcastle Road representing Island Landhandlers, Inc.
- Gordon Glade, 112 South Gunbarrel Road

No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 522 North Beal Street (Grand Island Area Habitat for Humanity). Gary Mader, Utilities Director reported that a utility easement was needed at 522 North Beal Street in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to allow the Electric Department to legally cross Lot Two (2) with overhead power lines (secondary) to serve Lot One (1) at the rear of a new house. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement and Agreement for Temporary Construction Easement Located North of Old Potash Highway and East of Engleman Road (Robin & Barbara Irvine). Gary Mader, Utilities Director reported that a utility easement and temporary construction easement were needed north of Old Potash Highway and east of Engleman Road for construction of Water Main District 456T. Staff recommended acquisition of the required utility easements on the property of Robin and Barbara Irvine by proceeding with condemnation. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Between North & Webb Roads and between Abbott & Airport Roads (Max & Lizbeth Mader and Lloyd & Patrician Mader). Gary Mader, Utilities Director reported that acquisition of a utility easement located between North and Webb Roads and between Abbot and Airport Roads was needed in order for construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$60,068.02. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Just North of Abbott Road, Between North and Webb Roads (Max & Lizbeth Mader). Gary Mader, Utilities Director reported that acquisition of a utility easement located just north of Abbott Road, between North and Webb Roads was needed in order for construction a 115 kV transmission interconnection to the north of the City. The negotiated price of the easement was \$4,985.00. Staff recommended approval. No public testimony was heard.

Public Hearing for 2010-2011 Community Revitalization CDBG Supplemental Application. Joni Kuzma, Community Development Administrator reported that this application was for Phase 2

Community Revitalization of a Comprehensive Revitalization Strategy for low-to-moderate income area in an amount of approximately \$229,401.00. Staff recommended approval. No public testimony was heard.

Public Hearing on Zoning Change for The Village Third Subdivision from RD – Residential Development to Amended RD – Residential Development. Chad Nabity, Regional Planning Director reported that the purpose of this rezoning request was to include additional properties within the approved RD zone for The Village Third Subdivision. Very little development had occurred since the last amendment in January of 2002, but sewer and water utilities were extended to serve all of the planned development. Staff recommended approval. No public testimony was heard.

Public Hearing on Amending Resolution #2010-213 for Acquisition of Sanitary Sewer Easement in Lot One (1) of McGovern Subdivision Located at 2536 North Diers Avenue (James E. & Carole M. Kimbrough). Steve Riehle, Public Works Director reported that property located at 2536 North Diers Avenue was approved for a sanitary sewer easement on August 10, 2010. The easement that was approved placed the north-south section of the service at 10' east of the west line of Lot 2. The landowners had requested that the north-south section of the easement be shifted 45' eastward to facilitate construction of the private sanitary sewer service and minimize the disturbance to the property. Staff recommended approval. No public testimony was heard.

Public Hearing on General Property, Parking District #2 (Ramp) and Community Development Authority Tax Request. Mary Lou Brown, Finance Director reported that state statutes requires the City to conduct a public hearing if the property tax request changes from one year to the next. Property tax request for the general property tax was \$6,527,730, Parking District No. 2 at \$8,000, and the Community Redevelopment Authority property tax at \$425,000. Staff recommended approval. No public testimony was heard.

Public Hearing on Establishing the Rates for the General Occupation Tax for Downtown Parking District No. 1. Mary Lou Brown, Finance Director reported that this was the annual Council action to establish the occupation tax for Downtown Improvement and Parking District No. 1. FY 2010-2011 occupation tax factor was \$.1630 per square foot and would provide taxes of \$39,654. 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:

#9269 – Consideration of Approving FY 2010-2011 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1

#9270 – Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement and Parking District No. 1

#9271 – Consideration of Assessments for Business Improvement District #4, South Locust Street from Stolley park Road to Fonner Park Road

#9272 – Consideration of Assessments for Business Improvement District #6, Second Street

#9273 – Consideration of Assessments for Business Improvement District #7, South Locust from Stolley Park Road to Highway 34

#9274 (A) – Consideration of Assessments for Business Improvement District #8, Downtown

#9275 – Consideration of Amending Chapter 15 of the Grand Island City Code Relative to Commercial Electric Deposit Interest Rate

#9276 – Consideration of Zoning Change for The Village Third Subdivision from RD – Residential Development to amended 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 Ramsey second the motion. Upon roll call vote, all voted aye. Motion adopted.

Motion by Meyer, second by Carney to approve Ordinances #9269, #9270, #9271, #9272, #9273, #9274 (A), #9275 and #9276.

City Clerk: Ordinances #9269, #9270, #9271, #9272, #9273, #9274 (A), #9275 and #9276 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 #9269, #9270, #9271, #9272, #9273, #9274 (A), #9275 and #9276 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 #9269, #9270, #9271, #9272, #9273, #9274 (A), #9275 and #9276 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-10, G-11 and G-19 were removed for further discussion. Motion by Zapata, second by Nickerson to approve the Consent Agenda excluding G- and G-. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of August 24, 2010 City Council Regular Meeting.

Approving Minutes of August 31, 2010 City Council Special Meeting.

Approving Deletion to Premise for Hall County Livestock Improvement Association dba Fonner Park, 700 East Stolley Park Road Liquor License “CK-78819”.

#2010-238 – Approving Preliminary Plat, Final Plat and Subdivision Agreement for The Village Fourth Subdivision. It was noted that Thayer Family LLC, owners had submitted the Preliminary Plat, Final Plat and Subdivision Agreement for The Village Fourth Subdivision for the purpose of creating 5 lots on a tract of land consisting of Lots 4, 5, and 7 through 29 and Outlots A and B of The Village Third Subdivision comprising approximately 16.14 acres.

#2010-239 – Approving Final Plat and Subdivision Agreement for Medical Park Eighth Subdivision. It was noted that Saint Francis Medical Center, owners had submitted the Final Plat

and Subdivision Agreement for Medical Park Eighth Subdivision for the purpose of creating 3 lots on a tract of land comprising a part of Lot Two (2), Medical Park Fifth Subdivision comprising approximately 3.760 acres.

#2010-240 – Approving Acquisition of Utility Easement Located at 522 North Beal Street (Grand Island Area Habitat for Humanity).

#2010-241 – Approving Acquisition of Utility Easement and Agreement for Temporary Construction Easement Located North of Old Potash Highway and East of Engleman Road (Robin & Barbara Irvine).

#2010-242 – Approving Acquisition of Utility Easement Located Between North & Webb Roads and Between Abbott & Airport Roads (Max & Lizbeth Mader and Lloyd & Patricia Mader).

#2010-243 – Approving Acquisition of Utility Easement Just North of Abbott Road, Between North and Webb Roads (Max & Lizbeth Mader).

#2010-246 – Approving Amending Resolution #2010-213 for Acquisition of Sanitary Sewer Easement in Lot One (1) of McGovern Subdivision – 2536 North Diers Avenue (James E. & Carole M. Kimbrough).

#2010-247 – Approving Bid Award for One (1) Trailer Mounted 65kW Generator for the Wastewater Division of the Public Works Department with Winco, Inc. of Le Center, Minnesota in an Amount of \$27,425.96.

#2010-248 – Approving Addendum Number 2 for Supervisory Control and Data Acquisition (SCADA) System with Huffman Engineering of Lincoln, Nebraska in an Amount of \$37,800.00.

#2010-249 – Approving 2010-2011 Community Revitalization CDBG Supplemental Application.

#2010-250 – Approving Victims Of Crimes act (VOCA) Grant.

#2010-251 – Approving Bid Award for Fluid Dynamics Polymer System Parts for the Wastewater Division of the Public Works Department with Fluid Dynamics of Lansdale, Pennsylvania in an Amount of \$50,020.00.

#2010-252 – Approving Bid Award for Installation and Purchase of Equipment, Divider Curtains and Netting at City Fieldhouse with Sport Construction Midwest of Coralville, Iowa in an Amount of \$67,985.00.

#2010-244 – Approving Boiler & Machinery Insurance – Utilities Department with Factory Mutual Insurance Company of St. Louis, Missouri in an amount of \$354,375.00. Utility Director Gary Mader answered questions and gave reasons for purchasing terrorism insurance.

Motion by Carney, second by Zapata to approve Resolution #2010-244. Upon roll call vote, all voted aye. Motion adopted.

#2010-245 – Approving Bid Award for Installation of Fiber Optics Cable – Contract 2010-OPGW-IV with Schmader Electric Construction Company, Inc. of West Point, Nebraska in an Amount of \$116,583.00. Utilities Director Gary Mader explained this project was to connect outlying City buildings with City Hall for networking capabilities. Discussion was held regarding other areas to be connected and total project costs.

Motion by Gilbert, second by Dugan to approve Resolution #2010-245. Upon roll call vote, Councilmember's Meyer, Niemann, Gilbert, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

#2010-253 – Approving Renewal of Health Insurance Contracts with Regional Care, Inc. of Scottsbluff, Nebraska. Human Resources Director Brenda Sutherland answered questions regarding the changes due to the health care reform bill passed by Congress. Discussion was held concerning co-pay increases, deductibles, and future costs of health insurance to the employees. Mentioned was the \$450,000 transfer from the health insurance fund in the FY 2010-2011 budget.

Motion by Gilbert, second by Ramsey to approve Resolution #2010-253. Upon roll call vote, Councilmember's Niemann, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, and Nickerson voted aye. Councilmember's Meyer and Gericke voted no. Motion adopted.

REQUEST S AND REFERRALS:

Consideration of Request from Edwin Bolanos for a Conditional Use Permit for a Go-Cart Track Located at 613 East 4th Street. This item related to the aforementioned Public Hearing. Discussion was held regarding type of track and liability issues to the City.

Motion by Ramsey, second by Haase to approve the request from Edwin Bolanos for a Conditional Use Permit for a go-cart tract located at 613 East 4th Street with the following conditions: 1) hours of operation shall be limited to 8:00 a.m. through 11:00 p.m. 2) lights, if installed should not extend past the property line onto neighboring properties, excluding the public right-of-way and railroad property, and 3) dust levels should be controlled such that it does not create a public nuisance.

Motion by Gericke to limit this permit to 24 months. Motion died due to lack of a second.

Motion by Carney, second by Niemann that adequate insurance be provided for the go-cart track by Mr. Bolanos. Upon roll call vote, Councilmember's Niemann and Carney voted aye. Councilmember's Meyer, Gilbert, Haase, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted no. Motion failed.

Upon roll call vote of the main motion, Councilmember's Gilbert, Haase, Dugan, Ramsey, Zapata, and Nickerson voted aye. Councilmember Meyer, Niemann, Carney, and Gericke voted no. Motion adopted.

Consideration of Request from Island Landhandlers, Inc. for a Conditional Use Permit for a Sand & Gravel Operation Located at 3812 South Blaine Street. This item related to the aforementioned Public Hearing.

Motion by Nickerson, second by Zapata to deny the request from Island Landhandlers, Inc. for a Conditional Use Permit for a Sand & Gravel Operation located at 3812 South Blaine Street for the following reasons :

1. Would create an unsafe traffic environment for residents and hike/bike trail users
2. Would have a potentially negative impact on property value promoting depreciation
3. Would accelerate road deterioration at an unreasonable rate
4. Is not generally harmonious to the surrounding area due to noise, traffic, and overall operational environment

Gordon Glade, owner commented on his intentions to build a home on this property by a lake and that he wants to improve this property. He also stated he wanted the permit for only 10 years and there would be no asphalt plant at this location. Discussion was held regarding truck traffic on Blaine Street.

Gerald Williams explained the inspections for noise by the state which was done yearly. Times of operation were discussed, Mr. Williams stated they would not operate from sun-up to sun-down and on occasion would work on Saturday mornings.

Positive comments were made regarding the way Island Landhandlers does business with less noise, clean working environment and little dust.

Upon roll call vote to deny, Councilmember's Niemann, Haase, Carney, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember's Meyer, Gilbert, and Dugan voted no. Motion adopted.

Council recessed at 9:00 p.m.
Council reconvened at 9:10 p.m.

Consideration of Request from Brent Lindner Regarding Extending Hours of Alcohol Consumption. Brent Lindner, 1322 West John Street requested the City Council approve extending the sale of alcohol from 1:00 a.m. to 2:00 a.m. on Friday's and Saturday's. Mentioned was the additional hour would help increase his revenue. Dick Rezac, 1512 East Stolley Park Road spoke in support.

Discussion was held regarding state law and closing times, surrounding areas such as Kearney denying this same request, Lincoln and Omaha approving the 2:00 a.m. closing and the strain on Law Enforcement.

Motion by Dugan, second by Meyer that this item not be brought forward for an Ordinance. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2010-254 – Consideration of Request from Tokyo Station, Inc. dba Tokyo Station, 2425 North Diers Avenue for a Class "T" Liquor License and Liquor Manager Designation for Charlie Canfield, 3221 Ponca Circle. This item related to the aforementioned Public Hearing.

Motion by Ramsey, second by Gilbert to approve Resolution #2010-254 contingent upon final inspections and Liquor Manager Designation for Charlie Canfield, 3221 Ponca Circle contingent upon Mr. Canfield completing a state approved alcohol server/seller program. Upon roll call vote, all voted aye. Motion adopted.

#2010-255 – Consideration of Approving General Property, Parking District #2 (Ramp) and Community Redevelopment Authority Tax Request. This item related to the aforementioned Public Hearing.

Discussion was held regarding no cuts to the CRA budget while all other budgets were decreased. Question was asked if this could be changed and what it would do to our current budget. City Administrator Jeff Pederson stated this should have been done earlier. Property valuations were also discussed.

Motion by Gilbert, second by Dugan to approve Resolution #2010-255. Upon roll call vote, Councilmember's Niemann, Gilbert, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember's Meyer and Haase voted no. Motion adopted.

#2010-256 – Consideration of Approving 1% Increase to the Lid Limit. Mary Lou Brown, Finance Director reported that in 1998 the Nebraska State Legislature passed LB 989 which put a cap on the amount of restricted revenues a political subdivision could budget for. The restricted revenues that the City of Grand Island included in the budget were Property Taxes, Local Option Sales Tax, Motor Vehicle Tax, Highway Allocation and State Aid. Of those restricted revenues, property tax was the only revenue that the City could control. The increase in restricted funds authority using the 1% additional amount and the population growth (when available) was not an increase in budgeted revenues. It only provided the ability to increase restricted revenues, particularly property tax, in a future year if necessary.

Ms. Brown answered questions concerning the unused budget authority with the 1% lid which was \$5,146,978. If the lid was not approved it would reduce that figure by \$240,314. Discussion was held concerning the difference between revenue and property tax.

Motion by Gericke, second by Ramsey to approve Resolution #2010-256. Upon roll call vote, Councilmember's Meyer, Niemann, Gilbert, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of August 25, 2010 through September 14, 2010, for a total amount of \$4,803,090.63. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the Period of August 25, 2010 through September 14, 2010 for the Veterans Athletic Field Complex for a total amount of \$97,711.26. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the Period of August 25, 2010 through September 14, 2010 for the State Fair Recreation Building for a total amount of \$394,960.18. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:55 p.m.

RaNae Edwards
City Clerk