



# **City of Grand Island**

**Tuesday, October 26, 2010**

**Council Session**

## **Item G1**

**Approving Minutes of October 12, 2010 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

## CITY OF GRAND ISLAND, NEBRASKA

### MINUTES OF CITY COUNCIL REGULAR MEETING

October 12, 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 October 12, 2010. Notice of the meeting was given in *The Grand Island Independent* on October 6, 2010.

Mayor Hornady called the meeting to order at 7:00 p.m. The following City Council members were present: Meyer, Niemann, Gilbert, Carney, Dugan, Nickerson, Zapata and Gericke. Councilmember's Haase and Ramsey were absent. The following City Officials were present: City Administrator Jeff Pederson, City Clerk RaNae Edwards, Finance Director Mary Lou Brown, Assistant City Attorney Jason Eley, 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 Dan Carlson and Reyna Raymundo and Board member Craig Garrett. Mayor Hornady encouraged voters to approve Ballot Amendment No. 1 in the November election regarding funding for Economic Development.

#### PRESENTATIONS AND PROCLAMATIONS:

Recognition of "Savvy Awards". Mayor Hornady and the City Council recognized Paige Liess, Brad Foster, and Jeremy Watson for receiving two national Savvy Awards by the City-County Communications and Marketing Association (3CMA). First place in the category of Special Events-One Time Event was for the "Leave-a Mark, Adopt-a-Park" event sponsored by the County Youth Council in partnership with the Parks Department. Second place in the category of TV Promotional Video was for the Police Recruitment Video, entitled "A Dedication to Serve".

Mayor Hornady recognized Public Information Officer Wendy Meyer-Jerke for being voted in by the 3CMA membership to become a member of the 3CMA National Board of Directors.

Mayor Hornady introduced Assistant City Attorney Jason Eley filling in for City Attorney Dale Shotkoski.

#### PUBLIC HEARINGS:

Public Hearing on Request from Olsson Associates on behalf of Helen Foreman for a Conditional Use Permit for a Soil Vapor Extraction and Air Sparge Remediation Trailer Located near 1515 West 2nd Street. Craig Lewis, Building Department Director reported that Olsson Associates on behalf of Helen Foreman had submitted an application for a conditional use permit for a Soil Vapor Extraction and Air Sparge Remediation trailer located near 1515 West 2<sup>nd</sup> Street. Staff recommended approval with the following condition: the proposed picket fence be maintained at a height of 6' around the trailer and associated equipment during the duration of the conditional use permit. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2923 and 2915 West Louise Street (Rhoads Enterprises, Inc.). Gary Mader, Utilities Director reported that a utility easement was needed at 2923 and 2915 West Louise Street in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to locate a transformer and underground cable to two four unit apartments at these addresses. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3321 Island Circle and 702 South Webb Road (GMD, LLC & Lacy Construction Company). Gary Mader, Utilities Director reported that a utility easement was needed along the south side of property located at 3321 Island Circle and 702 South Webb Road in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to locate primary electrical cable and new transformer. Also to allow the Utilities Department to create a loop through the property so each transformer would have the ability to be fed from two directions. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of a Portion of South Locust Street between the Grand Island City Limits and the Northernmost Terminus of the Exit Ramps to the Interstate 80 Interchange (County of Hall, Nebraska). Steve Riehle, Public Works Director reported that acquisition of a portion of South Locust Street between the Grand Island City Limits and the northernmost Terminus of the Exit Ramps to the Interstate 80 Interchange was approved by Council on April 6, 1992 through an Inter-Local Agreement with Hall County upon completion of improvements and construction of South Locust Street. The 4-lane roadway on South Locust Street had been completed and the Hall County Board approved the transfer of real estate to the City at their September 28, 2010 meeting. 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 ordinance numbered:

#9278 – Consideration of Amending Ordinance No. 9141 for Sidewalk District No. 1, 2007 (Second and Final 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 first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Niemann second the motion. Upon roll call vote, all voted aye. Motion adopted.

Motion by Meyer, second by Gilbert to approve Ordinance #9278 on second and final reading.

City Clerk: Ordinance #9278 on second and 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 #9278 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-1 and G-16 were removed for further discussion. Motion by Zapata, second by Nickerson to approve the Consent Agenda excluding items G-1 and G-16. Upon roll call vote, all voted aye. Motion adopted.

#2010-270 – Approving City Council Meeting Schedule for 2011.

#2010-271 – Approving Agreement for Funding with the Central Nebraska Ethnic Festival in an Amount of Approximately \$300.00.

#2010-272 – Approving Agreement for Funding with the Crisis Center, Inc. in an Amount of \$7,680.00.

#2010-273 – Approving Agreement for Funding with the Grand Island Area Council for International Visitors in an Amount of \$640.00.

#2010-274 – Approving Agreement for Funding with the Grand Island Hall County Convention & Visitors Bureau in an Amount of \$6,400.00.

#2010-275 – Approving Agreement for Funding with Izaak Walton Kids Fishing Derby in an Amount of \$1,280.00.

#2010-276 – Approving Agreement for Funding with Hope Harbor in an Amount of \$2,880.00.

#2010-277 – Approving Agreement for Funding with the Grand Island Multicultural Coalition in an Amount of \$6,400.00.

#2010-278 – Approving Agreement for Funding with Senior Citizens Industries, Inc. in an Amount of \$9,600.00.

#2010-279 – Approving Agreement for Funding with the Clean Community System in an Amount of \$20,000.00.

#2010-280 – Approving Memorandum of Understanding with the Coalition for Children and Court Appointed Special Advocates for Nebraska Foster Youth Council Project.

#2010-281 – Approving Acquisition of Utility Easement Located at 2923 and 2915 West Louise Street (Rhoads Enterprises, Inc.).

#2010-282 – Approving Acquisition of Utility Easement Located at 3321 Island Circle and 702 South Webb Road (GMD, LLC & Lacy Construction).

#2010-283 – Approving Acquisition of Utility Easements for St. Libory Transmission Line by Condemnation – Leisers – Tracts 6 & 10.

#2010-285 – Approving Agreement with NDOR for National Bridge Inspection Standards Responsibilities.

#2010-286 – Approving Bid Award for Downtown Lawn/Landscape Maintenance and Sidewalk Snow Removal Adjacent to Parking Lots with Rick’s Lawn Care Company of Grand Island, Nebraska in an Amount of: Mowing - \$35.00 each; Maintenance - \$2,840.00 yearly lump sum; Snow Removal - \$125.00 per hour; and Snow Shovel - \$15.00 per hour/per shovel.

#2010-287 – Approving Bid Award for One (1) 2011 Dozer with NMC, Inc. of Doniphan, Nebraska in an Amount of \$668,899.00.

#2010-288 – Approving Amendment #1 to Agreement for Landfill Re-Permitting with Aquaterra Environmental Solutions, Inc. of Omaha, Nebraska for an Increase of \$15,879.00 and a Revised Agreement Amount of \$59,484.00.

#2010-289 – Approving Contract for Modification of Concrete Work at the Veterans Athletic Field Complex with Diamond Engineering Co. of Grand Island, Nebraska for an Increase of \$58,32.00 and a Revised Contract Amount of \$422,984.80.

#2010-290 – Approving Assignment of Investment Advisory Contract with McCarthy Group Advisors, L.L.C. to Westwood Holdings Group, Inc.

#2010-291 – Approving Extension of the Escrow Agreement for the Fieldhouse at Fonner Park with Wells Fargo Bank to June 30, 2011.

Approving Minutes of September 28, 2010 City Council Regular Meeting. Councilmember Gericke questioned where item G-4 in the minutes was. City Clerk RaNae Edwards explained this item was the last one on the Consent Agenda.

Motion by Gilbert, second by Gericke to approve the Minutes of September 28, 2010 City Council Regular Meeting. Upon roll call vote, all voted aye.

#2010-284 – Approving Acquisition of a Portion of South Locust Street between the Grand Island City Limits and the Northernmost Terminus of the Exit Ramps to the Interstate 80 Interchange (County of Hall, Nebraska).

Motion by Gericke, second by Dugan to approve Resolution #2010-284.

Public Works Director Steve Riehle mentioned the future annexation of this property. Also mentioned was the background and contents of the 1992 Interlocal Agreement with Hall County approving the transfer of this property. Questioned was if this Council could be bound by something that was approved in 1992. Assistant City Attorney Jason Eley stated the Council was not bound by another Council’s decision, but the City would be bound to this agreement. Explained was this agreement was not only with Hall County, but the State of Nebraska Department of Roads.

Motion by Gilbert, second Meyer to postpone a decision on Resolution #2010-284 until the October 26, 2010 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

REQUEST S AND REFERRALS:

Consideration of Request from Olsson Associates on behalf of Helen Foreman for a Conditional Use Permit for a Soil Vapor Extraction and Air Sparge Remediation Trailer Located near 1515 West 2nd Street. This item related to the aforementioned Public Hearing. Discussion was held concerning other trailers like this and the time limit of the permit. Building Department Director Craig Lewis stated this trailer was being moved from another location and the permit would be for 2 years.

Motion by Meyer, second by Carney to approve the request from Olsson Associates on behalf of Helen Foreman for a Conditional Use Permit for a Soil Vapor Extraction and Air Sparge Remediation Trailer located near 1515 West 2nd Street with the following condition: the proposed picket fence be maintained at a height of 6' around the trailer and associated equipment during the duration of the conditional use permit. 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 September 29, 2010 through October 12, 2010, for a total amount of \$3,010,393.75. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the Period of September 29, 2010 through October 12, 2010 for the Veterans Athletic Field Complex for a total amount of \$37,794.87. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 7:40 p.m.

RaNae Edwards  
City Clerk