



City of Grand Island

Tuesday, December 21, 2010

Council Session

Item G1

Approving Minutes of December 7, 2010 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

December 7, 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 December 7, 2010. Notice of the meeting was given in *The Grand Island Independent* on December 1, 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 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 Emma Kruetzer and Ashley Bykerk and board member Elizabeth Kuta.

CITY COUNCIL REORGANIZATION:

APPROVING MINUTES OF NOVEMBER 23, 2010 CITY COUNCIL MEETING. Motion by Meyer, second by Zapata to approve the minutes of the November 23, 2010 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

ACCEPTANCE OF ELECTION CERTIFICATE: Motion by Zapata, second by Meyer to accept the Election Certificate for the November 2, 2010 General Election. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady presented plaques to outgoing Councilmember's Robert (Bob) Meyer and Jose Zapata and thanked them for their service to the City of Grand Island.

Council President Peg Gilbert presented a plaque to Mayor Margaret Hornady, the first woman Mayor for the City of Grand Island and thanked her for her service.

COMMENTS BY OUTGOING OFFICIALS:

Councilmember Meyer commented on all the good things the Council had accomplished. He thanked the voters, tax payers and city employees.

Councilmember Zapata thanked Mayor Hornady for the appointment to serve the City of Grand Island in Ward 1. He also thanked the City Council, staff, citizens, his wife and daughters.

Mayor Hornady thanked the citizens of Grand Island, city department director's, staff, employees of the City of Grand Island and City Council. She commented on the upcoming challenges of the budget and hiring a new city administrator.

RECESS: Motion by Gilbert, second by Gericke to recess at 7:15 p.m. for the transition to the new governing body. Upon roll call vote, all voted aye. Motion adopted.

Council reconvened at 7:25 p.m.

ADMINISTRATION OF OATH TO NEWLY ELECTED MAYOR AND COUNCIL MEMBER'S: City Clerk RaNae Edwards administered the Oath of Office to newly elected Mayor Jay Vavricek. Ms. Edwards then administered the Oath of Office to newly elected Councilmember's Randy Gard and Linna Dee Donaldson and returning Councilmember's Peg Gilbert, Mitchell Nickerson and John Gericke.

SEATING OF NEWLY ELECTED MAYOR AND COUNCILMEMBER'S FOLLOWED BY ROLL CALL: The following members were present: Mayor Vavricek, Councilmember's Haase, Carney, Niemann, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, Gard, and Gericke.

COMMENTS BY NEWLY ELECTED OFFICIALS:

Councilmember's Peg Gilbert, Mitch Nickerson, John Gericke, Linna Dee Donaldson and Randy Gard each thanked the citizen's of Grand Island for the opportunity to represent them. They also thanked their families, friends and looked forward to working with the other councilmember's.

Mayor Vavricek thanked his family, campaign organizers, voters, financial contributors, and God for the privilege to serve another 4 years as Mayor. He thanked Margaret Hornady, Bob Meyer, and Jose Zapata for their service to the City of Grand Island. He recognized Veteran's for their service. He commented he would promote government, public safety, job growth, education, communication, bring back the "State of the City" address and would use Robert's Rules of Order for impartiality and openness. Financial reports would be presented to the Council monthly.

Mentioned was the plan to initiate a strategic planning process with a Council Retreat in January and February with an official goal setting resolution for the March 8, 2011 City Council meeting. Budget development and recruitment for a City Administrator were very important. He wanted to explore increased opportunities in the Legal Department, procurement code, code compliance, Public Works – infrastructure, liaison to Boards and Committees, and visioning. He looked forward to working with the City Council, staff and employees.

ELECTION OF CITY COUNCIL PRESIDENT: Mayor Vavricek reported that the City Council was required to elect one Councilmember to the office of Council President for a term of one year and that the Council President automatically assumed the duties of the Mayor in the event that the Mayor was absent or otherwise unable to fulfill his duties. Councilmember Ramsey nominated Councilmember Peg Gilbert. Councilmember Niemann nominated Councilmember John Gericke. Councilmember Haase nominated Councilmember Larry Carney. There were no further nominations.

City Clerk RaNae Edwards called for the first ballot. It was reported that Councilmember Gilbert had received 6 votes, Councilmember Gericke had received 2 votes, and Councilmember Carney had received 2 votes. Mayor Vavricek declared Councilmember Peg Gilbert the new Council President for 2011.

Motion by Haase, second by Ramsey to make the vote a unanimous one for Councilmember Peg Gilbert as City Council President. Upon roll call vote, all voted aye. Motion adopted.

Motion by Gericke that the ballots be destroyed. Motion failed due to lack of a second.

RESOLUTIONS:

#2010-351 – Approving Appointment of City Attorney Dale Shotkoski. Mayor Vavricek reported he was submitting the appointment of Dale Shotkoski as City Attorney to coincide with the Mayor's term of office.

Motion by Haase, second by Carney to approve Resolution #2010-351. Upon roll call vote, all voted aye. Motion adopted.

#2010-352 – Approving Appointment of City Clerk RaNae Edwards. Mayor Vavricek reported he was submitting the appointment of RaNae Edwards as City Clerk to coincide with the Mayor's term of office.

Motion by Gilbert, second by Gericke to approve Resolution #2010-352. Upon roll call vote, all voted aye. Motion adopted.

#2010-353 – Approving Appointment of City Treasurer/Finance Director Mary Lou Brown. Mayor Vavricek reported he was submitting the appointment of Mary Lou Brown as City Treasurer/Finance Director to coincide with the Mayor's term of office.

Motion by Ramsey, second by Gericke to approve Resolution #2010-353. Upon roll call vote, all voted aye. Motion adopted.

#2010-354 – Approving Appointment of Interim City Administrator Mary Lou Brown. Mayor Vavricek reported he was submitting the appointment of Mary Lou Brown as Interim City Administrator until a new City Administrator is hired. Human Resources Director Brenda Sutherland explained the pay scale relative to personnel rules.

Motion by Dugan, second by Carney to approve Resolution #2010-354. Upon roll call vote, all voted aye. Motion adopted.

Mary Lou Brown commented on being the newest member on the team and was humbled. She looked forward to the challenges and working with the Mayor and City Council.

PUBLIC HEARINGS:

Public Hearing on Request from Blazin Wings, Inc. dba Buffalo Wild Wings Grill & Bar, 809 Allen Drive for a Class "T" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "T" Liquor License had been received from Blazin Wings, Inc. dba Buffalo Wild Wings Grill & Bar, 809 Allen Drive. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on November 10, 2010; notice to the general public of date, time, and place of hearing published on November 27 2010; notice to the applicant of date, time, and place of hearing mailed on November 10, 2010; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Shane Cooley, Manager, 4745 N. 173rd Circle, Omaha, Nebraska was present to answer questions. No further public testimony was heard.

Public Hearing on Request from Friesen Management, Inc. dba Sam and Louie's NYP, 928 Concord Avenue for a Class "C" Liquor License. This item was pulled from the agenda at the request of the applicant Donald Friesen.

Public Hearing on Request from Geotechnical Services, Inc. for a Conditional Use Permit for a Soil Vapor Extrication Trailer Installation Located at 417 North Sycamore Street. Craig Lewis, Building Department Director reported that Geotechnical Services, Inc. had submitted an application for a conditional use permit for a soil vapor extrication trailer installation located at 417 North Sycamore Street. Mr. Lewis stated this request was for the continued use of a vapor extraction trailer originally approved by Council on November 14, 2006 with landscaping requirements. These requirements had not been met over the last four years. Staff recommended if Council approved this permit that landscaping conditions would be required. Fred Jones, representing Geotechnical Services spoke in support. No further public testimony was heard.

CONSENT AGENDA: Consent Agenda items G-4, G-6 and G-8 were removed for further discussion. Motion by Gilbert, second by Haase to approve the Consent Agenda excluding items G-4, G-6 and G-8. Upon roll call vote, all voted aye. Motion adopted.

#2010-338 – Approving Designated Depositories and City Treasurer Authorizations.

#2010-339 – Approving Redemption of Solid Waste Bonds.

#2010-340 – Approving Final Plat and Subdivision Agreement for Anderson Third Subdivision. It was noted that Melodee A. Anderson, owner had submitted the Final Plat and Subdivision Agreement for Anderson Third Subdivision for the purpose of creating 1 lot on a tract of land in Part of the N1/2, NE/14 of Section 24-11-10 comprising approximately 5.165 acres.

#2010-342 – Approving Award of Construction Contract on Project WWTP-2010-3 for Aeration Basin Improvements at the Wastewater Treatment Plant with Oakview dck, LLC of Red Oak, Iowa in an Amount of \$3,487,000.00.

#2010-344 – Approving Change Order #1 for Transfer House Fire Protection Upgrade at Platte Generating Station with Nebraska Fire Sprinkler Corporation of Alda, Nebraska for an increase of \$6,580.00 and a Revised Contract Amount of \$86,380.00.

#2010-346 – Approving Addendum No. 2 to the SCALES Interlocal Agreement to Include Lexington Police Department.

#2010-347 – Approving Certificate of Final Completion for Paving Improvements Sections A & B for the Veterans Athletic Field Complex with Diamond Engineering of Grand Island, Nebraska.

#2010-348 – Approving Certificate of Final Completion for Paving Improvements Section C at the Veterans Athletic Field Complex with Diamond Engineering of Grand Island, Nebraska.

#2010-341 – Approving Amendment No. 4 to the Agreement with Kirkham Michael of Omaha, Nebraska for Engineering Consulting Services for the Wasmer Detention Cell in an amount of \$16,292.01 and a Revised Agreement Amount of \$137,633.66. Public Works Director Steve Riehle explained that Federal Highway Administration (FHWA) allows federal aid funds to be used for up to 80% of eligible project costs. The FHWA would not participate in drainage improvements to accommodate storm water runoff for more than one block away from a federal aid route. Additional civil engineering work was needed on this project to determine participation levels in the project based on FHWA guidance.

Interim City Administrator Mary Lou Brown commented on how much FHWA would pay towards storm sewer design to the Wasmer Detention Cell. Discussion was held concerning water problems from people around the Wasmer Detention Cell. Funding in the budget was figured on the 80%/20% cost share.

Motion by Ramsey, second by Niemann to approve Resolution #2010-341. Upon roll call vote, all voted aye. Motion adopted.

#2010-343 – Approving Power Sales Agreement between the City of Grand Island and the Nebraska Public Power District for Laredo Ridge Wind Project. Utilities Director Gary Mader explained the Power Sales Agreement with the Nebraska Public Power District (NPPD) for the Laredo Ridge Wind Project. He commented on renewable energy sources. Mentioned were the Power Sales Agreements the City had participated with Ainsworth, Elkhorn, and Springview Projects.

Discussion was held regarding the 20 year agreement which Mr. Mader said was normal. The Laredo Ridge Wind Project was privately owned and marketed by NPPD. Fossil fuel vs renewable energy was discussed. Increased electric costs were mentioned.

Motion by Gilbert, second by Dugan to approve Resolution #2010-343. Upon roll call vote, Councilmember's Haase, Carney, Niemann, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, and Gericke voted aye. Councilmember Gard voted no. Motion adopted.

#2010-345 – Approving Nebraska Children and Families Foundation Agreement for a Child Well-Being Implementation Grant in an Amount up to \$50,000.00. Community Development Administrator Joni Kuzma reported this was the third part of grant funds to the City. The goal was to bring people together to help child care and building on programs already in existence.

Motion by Ramsey, second by Niemann to approve Resolution #2010-345. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Geotechnical Services, Inc. for a Conditional Use Permit for a Soil Vapor Extrication Trailer Installation Located at 417 North Sycamore Street. This item related to the aforementioned Public Hearing.

Motion by Gericke, second by Niemann to approve the request from Geotechnical Services, Inc. for a Conditional Use Permit for a Soil Vapor Extrication Trailer Installation Located at 417 North Sycamore Street.

Discussion was held regarding the importance of soil vapor extrication, landscaping, enforcement, and expiration of the current permit. Building Department Director Craig Lewis stated the current permit expired on November 15, 2010. City Attorney Dale Shotkoski reported violations of Conditional Use Permits were brought back to Council or could be taken to Court.

Motion by Gilbert, second by Haase to amend the motion to approve a 6 month duration of the Conditional Use Permit. Upon roll call vote, all voted aye. Motion adopted.

Upon roll call vote on main motion, all voted aye. Motion adopted.

RESOLUTIONS:

#2010-349 – Approving Request from Blazin Wings, Inc. dba Buffalo Wild Wings Grill & Bar, 809 Allen Drive for a Class “I” Liquor License and Liquor Manager Designation for Shane Cooley, 4745 N. 173rd Circle, Omaha, Nebraska. This item related to the aforementioned Public Hearing.

Motion by Haase, second by Niemann to approve Resolution #2010-349 contingent upon final inspections and completion of Mr. Cooley completing a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2010-350 – Approving Request from Friesen Management, Inc. dba Sam and Louie’s NYP, 928 Concord Avenue for a Class “C” Liquor License and Liquor Manager Designation for Donald Friesen, 4030 W. Husker Highway. This item was pulled from the agenda at the request of the applicant Donald Friesen.

#2010-355 – Approving Designating No Parking on Gold Core Drive, from Schimmer Drive to wildwood Drive. This item was removed from the agenda at the request of Interim City Administrator Mary Lou Brown.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gilbert to approve the Claims for the period of November 24, 2010 through December 7, 2010, for a total amount of \$4,006,027.29. Unanimously approved.

Motion by Dugan, second by Gilbert to approve the Claims for the Period of November 24, 2010 through December 7, 2010 for the Veterans Athletic Field Complex for a total amount of \$8,311.45. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:20 p.m.

RaNae Edwards
City Clerk