



# City of Grand Island

Tuesday, March 22, 2011

Council Session

## Item G1

**Approving Minutes of March 8, 2011 City Council Regular Meeting**

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

March 8, 2011

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 March 8, 2011. Notice of the meeting was given in *The Grand Island Independent* on March 2, 2011.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Chuck Haase, Larry Carney, Bob Niemann, Kirk Ramsey, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, Scott Dugan, Randy Gard and John Gericke. The following City Officials were present: Interim City Administrator/Finance Director Mary Lou Brown, City Clerk RaNae Edwards, Interim City Attorney Jason Eley, Interim Public Works Engineer Terry Brown, and Interim Public Works/Utilities Director Gary Mader.

INVOCATION was given by Pastor Matt Fowler, Faith United Methodist Church, 724 West 12<sup>th</sup> Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Reyna Raymundo, Alex Wirth, and Tyler Barrientos. Mayor mentioned several legislative bills. Mentioned was Saturday, March 26, 2011 for City Administrator interviews instead of a Council Retreat.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Week of Kindness and Sole" March 13-19, 2011. Mayor Vavricek proclaimed the week of March 13-19, 2011 as "Week of Kindness and Sole". Dr. Kent Mann commented on the campaign to raise 35,000 pairs of shoes for those in need. The following High School students were present for the presentation: Lara Bergdolt – Heartland Lutheran, Alex Wirth – Central Catholic, and Miguel Baeza & Holly Johnson – Grand Island Senior High.

Proclamation "National Athletic Training Month" March, 2011. Mayor Vavricek proclaimed the month of March 2011 as "National Athletic Training Month". Todd Goshorn, Head Athletic Trainer at Grand Island High School was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Redevelopment Plan for Real Estate Located at 620 West State Street (Five Points located along North Broadwell, North Eddy and West State Streets). Regional Planning Director Chad Nabity reported that in 2007 the City Council declared property referred to as CRA Area #6 as blighted and substandard and approved a generalized redevelopment for the property located at 620 West State Street. The generalized redevelopment plan authorized the use of Tax Increment Financing (TIF) for the acquisition of property, redevelopment of property, site preparation including demolition, landscaping and parking. Wilmar Realty LLC (the developer) had submitted a proposed amendment to the redevelopment plan that would provide for site acquisition, demolition and construction of an exterior façade and interior remodeling of the Skagway supermarket building together with additional parking lot expansion at the Five Points

location. Jim Phipps, 1809 West Anna Street spoke in support. No further 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 ordinances numbered:

- #9290 – Consideration of Vacation of a Portion of a Utility Easement Located Between Sheridan Avenue and Orleans Drive, From 4<sup>th</sup> Street to 5<sup>th</sup> Street
- #9291 – Consideration of Authorizing Series 2011 Public Safety Tax Anticipation Refunding Bonds

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 second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Nickerson second the motion. Upon roll call vote, all voted aye. Motion adopted.

Interim Public Works Director Gary Mader reported that Ordinance #9290 would vacate the west 18’ of the 30’ utility easement located on Lots 20, 21 & 22 in Kallos Second Subdivision.

Bruce Lefler representing Ameritas reported that Ordinance #9291 would replace the Public Safety Tax Anticipation Bonds, Series 2006 in a principal amount of \$5,535,000.00.

Motion by Haase, second by Ramsey to approve Ordinances #9290 and #9291.

City Clerk: Ordinances #9290 and #9291 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 #9290 and #9291 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 Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9290 and #9291 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-13 and G-15 were removed for further discussion. Motion by Gericke, second by Gard to approve the Consent Agenda excluding items G-13 and G-15. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of February 22, 2011 City Council Regular Meeting.

Approving Minutes of March 1, 2011 City Council Study Session.

#2011-49 Approving Final Plat and Subdivision Agreement for Golden Age Third Subdivision.  
It was noted that Hall County Housing Authority, owner, had submitted the Final Plat and Subdivision Agreement for Golden Age Third Subdivision for the purpose of creating 2 lots on a tract of land located west of White Avenue and north of 7<sup>th</sup> Street containing approximately 2.648 acres.

#2011-50 – Approving Renewal of Golf Pro Contract with Don Kruse.

#2011-51 – Approving Burlington Northern Santa Fe Crossing Permit for the 115 kV Transmission Line to St. Libory.

#2011-52 – Approving Agreement for Marketing Services for WEC2 Energy between the City of Grand Island and the Municipal Energy Agency of Nebraska (MEAN).

#2011-53 – Approving Revised Laredo Ridge Power Sales Agreement with the Nebraska Public Power District (NPPD).

#2011-54 – Approving Bid Award for 115 kV Pole Inspection and Preservation Services with Osiose Utilities Services, Inc. of Tyrone, Georgia in an Amount not to exceed \$100,000.00.

#2011-55 – Approving Bid Award for Hot-Mix Asphalt for 2011 with Gary Smith Construction Co. of Grand Island, Nebraska in an Amount of \$44.85 per ton for Type “A” Asphaltic Concrete; \$42.85 per ton to Type “BC” Asphaltic Concrete; and \$44.85 per ton for Type “C” Asphaltic Concrete.

#2011-56 – Approving Bid Award for Concrete Ready-Mix for 2011 with Gerhold Concrete Co., Inc. of Grand Island, Nebraska in an Amount of \$74.00 per cubic yard for Portland Cement Concrete Ready-Mix.

#2011-57 – Approving Union Pacific Railroad Pipeline Crossing Agreement for Lift Station #7 Disaster Recovery Project Area (Grant Street to Arthur Street, between Oklahoma Avenue and Phoenix Avenue) and a One-Time License Fee of \$1,500.00.

#2011-58 – Approving Agreement for City Hall Copier Maintenance and Supplies with Capital Business Systems, Inc./Modern Methods of Grand Island, Nebraska.

#2011-60 – Approving Redemption of Series 2006 Public Safety Tax Anticipation Bonds.

#2011-59 – Approving Vendor for Expert Service provider for Information Technology with Duey’s Computer Service, Inc. of Lincoln, Nebraska in an Amount of \$3,125.00 per month.  
Finance Director Mary Lou Brown reported that as part of the 2011 budget process the Information Technology division of Finance eliminated one full time position to provide funding for the outsourcing of network administration support.

Motion by Dugan, second by Haase to approve Resolution #2011-59.

Discussion was held regarding a termination clause in the agreement. Interim City Attorney Jason Ely stated that if the company did not live up to their end of the bargain the agreement

could be terminated. Discussed was had whether the agreement should have 30 or 60 days included for the termination clause.

Motion by Haase, second by Carney to amend the motion and add a termination clause of 60 days. Upon roll call vote, Councilmembers Haase, Carney, Niemann, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, and Gericke voted aye. Councilmember Gard voted no. Motion adopted.

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

#2011-61 – Approving Investment Advisory Agreement with Smith Hayes Advisers, Inc. of Columbus, Nebraska. Finance Director Mary Lou Brown reported that Smith Hayes Advisers, Inc. (Smith Hayes) currently served as the investment adviser for the backstop funds to the pension obligations that were administered by Wells Fargo. The investment manager for the account was formerly McCarthy Group Advisors which was acquired by Westwood Holdings Group, Inc.

Smith Hayes informed the City that the current investment manager, Mr. Rod Cerny who had transitioned to Westwood, would no longer manage the City's account. If the account stayed with Westwood, the assets would be moved into one of their money management programs rather than being actively managed by Mr. Cerny. It was recommended that the City not move our investments into Westwood's money management program. It was recommended by staff to direct Smith Hayes to oversee the accounts.

Discussion was held concerning additional fees. Ms. Brown stated there would not be any additional costs. Comments were made concerning keeping out business local.

Motion by Gilbert, second by Niemann to approve Resolution #2011-61. Upon roll call vote, all voted aye. Motion adopted.

#### RESOLUTIONS:

#2011-62 – Consideration of Approving Appointment of Public Works Director John Collins. Mayor Vavricek submitted the appointment of John Collins for the City Engineer/Public Works Director starting March 14, 2011.

Motion by Gilbert, second by Niemann to approve Resolution #2011-62. Upon roll call vote, all voted aye. Motion adopted.

M. Collins thanked the Mayor and Council for the opportunity to serve the people of Grand Island.

#2011-63 – Consideration of Approving Redevelopment Plan for Real Estate Located at 620 West State Street (Five Points located along North Broadwell, North Eddy and West State Street). This item related to the aforementioned Public Hearing. Positive comments were made by Council regarding the redevelopment.

Motion by Haase, second by Gard to approve Resolution #2011-63. Upon roll call vote, all voted aye. Motion adopted.

#2011-64 – Consideration to Proceed with Closing the Union Pacific Railroad Crossing at Elm Street. Interim Public Works Director Gary Mader reported that Phase I Quiet Zone project was presented to the City Council on March 1, 2011. Installation of Wayside Horns at Elm Street/Union Pacific Rail Road (UPRR) Crossing was estimated to be \$228,800. The Public Works Engineering recommended closing the Elm Street crossing at UPRR instead of constructing Wayside Horns for a savings of approximately \$208,800.

Discussion was held regarding when the Elm Street crossing would be closed. Mr. Mader stated possibly by the end of the year. The closing would coincide with the construction. Final closing would come back to Council for approval.

Motion by Carney, second by Gericke to approve Resolution #2011-64. Upon roll call vote, all voted aye.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of February 23, 2011 through March 8, 2011, for a total amount of \$2,587,712.22. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Niemann to adjourn to Executive Session at 7:57 p.m. for the purpose of discussion concerning AFSCME, IAFF, FOP, IBEW – Finance, WWTP and Service/Clerical union negotiations for the protection of the public interest. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Gilbert, second by Ramsey to return to Regular Session at 10:34 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 10:34 p.m.

RaNae Edwards  
City Clerk