



# City of Grand Island

Tuesday, May 10, 2011

Council Session

## Item G1

**Approving Minutes of April 26, 2011 City Council Regular Meeting**

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 26, 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 April 26, 2011. Notice of the meeting was given in *The Grand Island Independent* on April 20, 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, and Scott Dugan. Councilmember's Randy Gard and John Gericke were absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, Interim City Attorney Jason Eley, and Public Works Director John Collins.

INVOCATION was given by Pastor Diane Covey, Spirit of Life Church, 2304 Macron Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Lauren Cantrell and Emma Kreutzer.

Finance Director Mary Lou Brown presented the March Financial Report. Revenues were under running in the amount of \$425,000 for March. Sales tax receipts had dropped in the amount of \$200,000. Food and beverages tax were coming in strong. Gas taxes were coming in as expected. Mentioned were declines on the expense side due to several openings throughout the organization and delayed purchases of vehicles which made up this offset.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "National Drinking Water Week 2011, May 1-7 2011". Mayor Vavricek proclaimed the week of May 1-7, 2011 as "National Drinking Water Week 2011". Utilities Director Tim Luchsinger was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Iglesia Ebenezer Church for a Conditional Use Permit for a New Church Facility Located at 502 East Capital Avenue. Craig Lewis, Building Department Director reported that an application for a conditional use permit had been received from Pastor Renee Lopez of Iglesia Ebenezer Church for the construction and operation of a church located at 502 East Capital Avenue. Staff recommended approval contingent upon final inspections. Deb Stoltenberg, 515 East Capital Avenue mentioned concerns with traffic, parking and noise. Bruce Kleint representing Husker Sales and Construction spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located South of the Intersection of 7<sup>th</sup> Street and Sky Park Road (Harold & Jeanette Schmader). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located south of the intersection of 7<sup>th</sup> Street and Sky Park

Road was needed in order to have access to install, upgrade, maintain, and repair appurtenances, including lines and transformers for the purpose of placing underground conduit, conductor, and a pad-mounted transformer to provide the electricity needed for the expansion of Midwest Hydraulic Services at 1925 East 4<sup>th</sup> Street. Staff recommended approval. No public testimony was heard.

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

Approving Minutes of April 12, 2011 City Council Regular Meeting.

Approving Minutes of April 19, 2011 City Council Study Session.

Receipt of Official Documents – Pawnbroker’s Official Bonds for G.I. Loan Shop.

#2011-93 – Approving Acquisition of Utility Easment Located South of the Intersection of 7<sup>th</sup> Street and Sky Park Road (Harold & Jeanette Schmader).

#2011-94 – Approving Bid Award for Water Main Project 2011-W-1 – 7<sup>th</sup> Street and Clark Street with the Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$206,907.32.

#2011-95 – Approving Bid Award for GT #1 Combustion Turbine Enclosure Painting with Lindner Painting, Inc. of Lincoln, Nebraska in an Amount of \$73,370.00.

#2011-96 – Approving Parkview Well Superfund Site, Access Agreement Amendment #3.

#2011-97 – Approving EPA Representation Agreement – Assigning New Designated Representative Tim Luchsinger and Alternate Designated Representative Emily Muth.

#2011-98 – Approving Change Order No. 1 for Handicap Ramp Project No. 2010-1 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$11,870.00 and a Revised Contract Amount of \$181,201.42.

#2011-101 – Approving Juvenile Attention Center Interlocal Agreement with Hall County.

#2011-102 – Approving Change Order No. 1 for Fence Installation at the Veterans Athletic Field Complex with Elkhorn Fence Co. LLC from Elkhorn, Nebraska for an Increase of \$650.00 and a Revised Contract Amount of \$26,702.00.

#2011-103 – Approving Certificate of Final Completion for Fence Installation at the Veterans Athletic Field Complex with Elkhorn Fence Co. LLC from Elkhorn, Nebraska.

#2011-104 – Approving Certificate of Final Completion for Relocation and Reconstruction of Multi Purpose Building at the Veterans Athletic Field Complex with Tri Valley Builders of Grand Island, Nebraska.

#2011-105 – Approving Changes to the 2010-2011 Fee Schedule Relative to Vehicle Auction Bid Fee.

#2011-106 – Approving Appointment of Timothy Luchsinger as Representative to the Nebraska Habitat Conservation Coalition.

#2011-107 – Approving Contract for Program Prioritization Budget Process with the National Environmental Health Association d/b/a the Center for Priority Based Budgeting of Denver Colorado in an Amount not to exceed \$10,000 for FY 2011/2012.

#2011-108 – Approving Amendment to Deferred Compensation Plan with ICMA-RC.

#2011-109 – Approving Contract for Concession Stand Operations at Veterans Athletic Field Complex with Jose Y. Ramos of Grand Island, Nebraska.

#2011-99 – Approving Closing of Elm Street Crossing at the Union Pacific Railroad. Public Works Director John Collins reported this was part of the Quiet Zone Improvement Project; Phase I. Closing Elm Street would not occur until planned improvements were completed at Walnut, Street, Pine Street and Oak Street.

Discussion was held regarding the time line for closing Elm and notice to surrounding businesses. Mr. Collins stated there would probably be more than a years notice. Traffic flow on Elm Street was mentioned. Detour to several parallel streets would be used if the underpass was closed.

Motion by Dugan, second by Niemann to approve Resolution #2011-99. Upon roll call vote, all voted aye. Motion adopted.

#2011-100 – Approving Wastewater Cost of Service Based Rate Study Report by Black & Veatch Corporation of Kansas City, Missouri. Public Works Director John Collins reported that the final waste water cost of service based rate study report was now complete and ready for council approval.

Discussion was held regarding the timing of implementation of the new nitrate fees. Mr. Collins stated they could set the schedule as directed by the City Council. Questioned was that rate increase were for Capital Projects and would this fee go away after the Capital Projects were paid for. Mr. Collins stated that was the plan.

Motion by Gilbert, second by Niemann to approve Resolution #2011-100. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Iglesia Ebenezer Church for a Conditional Use Permit for a New Church Facility Located at 502 East Capital Avenue. This item related to the aforementioned Public Hearing.

Discussion was held regarding the use of this property if it was not a church. Mr. Lewis stated if the property changed from being a church a new conditional use permit would need to be approved. He also commented landscaping and other uses. Rene Lopez, Pastor for Iglesia Ebenezer Church answered questions concerning completion of the project. He stated they were phasing in the project and it would take approximately 2 years to complete. Concerns about noise were addressed.

Motion by Dugan, second by Haase to approve the request from Iglesia Ebenezer Church for a Conditional Use Permit for a new church facility located at 502 East Capital Avenue. 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 April 13, 2011 through April 26, 2011, for a total amount of \$3,664,260.58. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the Period of April 13, 2011 through April 26, 2011 for the Veterans Athletic Field Complex for a total amount of \$20,840.00. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Ramsey to adjourn to Executive Session at 7:37 p.m. for the purpose of union negotiation updates 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 9:40 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:40 p.m.

RaNae Edwards  
City Clerk