



City of Grand Island

Tuesday, August 23, 2011

Council Session

Item G1

Approving Minutes of August 9, 2011 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 9, 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 August 9, 2011. Notice of the meeting was given in *The Grand Island Independent* on August 3, 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, Kirk Ramsey, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, Scott Dugan, Randy Gard and John Gericke. Councilmember Bob Niemann was absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Robert Sivick, and Public Works Director John Collins.

A moment of silence was observed in recognition of Sgt. Patrick Hamburger who was killed in Afghanistan.

INVOCATION was given by Father Todd Philipsen, Blessed Sacrament Catholic Church, 518 West State Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Mitch Maginnis and Samantha Moravec and Board member Elizabeth Kuta.

City Administrator Mary Lou Brown gave an update on the State Fair and extension of sewer line on Hwy 281.

PRESENTATIONS:

Proclamation "State Fair City" August 26 – September 5, 2011. Mayor Vavricek proclaimed August 26 – September 5, 2011 as "State Fair City". Joseph McDermott and Jana Kruger were present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Doc & Fritz's Shady Bend, Inc. dba Doc & Fritz's Shady Bend, 3609 E. Hwy 30 for an Addition of a Sidewalk Café to their Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application for an addition of a Sidewalk Café to the Class "C-88751" Liquor License had been received from Doc & Fritz's Shady Bend, Inc. dba Doc & Fritz's Shady Bend, 3609 E. Hwy 30. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on July 20, 2011; notice to the general public of date, time, and place of hearing published on July 30, 2011; notice to the applicant of date, time, and place of hearing mailed on July 20, 2011; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Craig Woodward, 3609 E. Hwy 30 spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at the Extension of 8th Street between Boggs and White Streets (Hall County Housing Authority). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at the extension of 8th Street between Boggs and White Streets was needed in order to have access to install, upgrade, maintain, and repair appurtenances, including lines and transformers for the purpose to facilitate the new construction and supply electrical serve to the new building. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at Stolley Park Road and Burlington Northern/Santa Fe Railroad, Merrick County (Rudolph Kruse, Sr.). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at Stolley Park Road and Burlington Northern/Santa Fe Railroad, Merrick County was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of relocating the overhead and underground facilities at various locations. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1310 Branding Iron Lane (Gerald & Patricia Kindig). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1310 Branding Iron Lane was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of correcting an existing property encroachment and installation of an underground service to replace the overhead now in place. Staff recommended approval. No public testimony was heard.

Public Hearing on Corrected Utility Easement Located at 1839 and 1919 East 4th Street (Tommy Ummel, Sr., Tommy Ummel, Jr., and Cary Ummel). Utilities Director Tim Luchsinger reported that correction of a utility easement located at 1839 and 1919 East 4th Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The subdivision plat changed and the easement will be changed to match the new subdivision. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement Located in the Northwest Quarter of the Northwest Quarter of Section 24, Township 11, Range 10 (Little B's Corporation). Public Works Director John Collins reported that acquisition of a public utility easement located at the southeast corner of Old Potash Highway and North Road was needed for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement. Staff recommended approval. No public testimony was heard.

Public Hearing on Community Redevelopment Authority (CRA) Budget. Chad Naby, Regional Planning Director presented the CRA 2011-2012 Annual Budget. Presented was a recap of the CRA programs and functions. The following budget highlights were presented: 1) \$100,000 to purchase dilapidated properties/infrastructure; 2) \$150,000 for façade development; 3) \$240,000 for train horns; 4) \$100,000 for other projects; and 5) \$200,787 for Lincoln Pool. Total CRA request was \$632,171 for 2011-2012.

RESOLUTIONS:

#2011-210 – Consideration of Approving the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME) Labor Agreement. Human Resources Director Brenda Sutherland reported that the City and AFSCME’s negotiating team met to negotiate the terms of a new three year labor agreement beginning October 1, 2011. Notable changes included: language change from an established 40 hour work week to an agreement that hours won’t fall below 76 hours in a two week pay period; 5 consecutive days of vacation each year; definition added to the bereavement leave section; a paragraph was added under the heading of seniority; and 15 steps in the pay scale instead of 8 steps. Overall impact in the first year of the contract is just under 1% and years 2 and 3 outline a 1.5% salary table adjustment.

Discussion was held regarding non-binding mediation language.

Motion by Gilbert, second by Carney to approve Resolution #2011-210. Upon roll call vote, all voted aye. Motion adopted.

#2011-211 – Consideration of Approving the International Association of Fire Fighters (IAFF) Labor Agreement. Human Resources Director Brenda Sutherland reported that City and IAFF’S negotiating team met to negotiate the terms of a new one year labor agreement beginning October 1, 2011. Notable changes included: language to define the use of the Kelly day system; increasing the maximum medical leave from 1687 to 1695 hours; changes to track benefits in the “contract year”; define how vacation and medical leave time is debited; add language from the MOU regarding the payout of medical leave from the last CIR case; change funeral leave to bereavement leave; increase holiday pay hours from 14.77 to 15 hours per holiday; change the premium paid for health insurance to the same rate as all other City employees; and change in how overtime would be calculated. All positions would receive a 1.75% increase in October 2011.

Discussion was held regarding over-time hours.

Motion by Ramsey, second by Gericke to approve Resolution #2011-211. Upon roll call vote, all voted aye. Motion adopted.

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:

- #9300 – Consideration of Creation of Water Main District 457 (Pioneer Blvd.)
- #9301 – Consideration of Creation of Water Main District 459 (Park Drive)
- #9302 – Consideration of Creation of Water Main District 460 (Grand Avenue & Riverview Drive)
- #9303 – Consideration of Creation of Water Main District 461 (Haage Avenue)
- #9304 – Consideration of Creation of Water Main District 462 (Cochin Street)
- #9305 – Consideration of Creation of Water Main District 463 (Brahma Street & Bantam Street)
- #9306 – Consideration of Creation of Water Main District 464 (Antelope Drive)

- #9307 – Consideration of Creation of Water Main District 465 (Wildwood Drive, Elk Drive, & Cougar Drive)
- #9308 – Consideration of Amending Chapter 23 of the Grand Island City Code Relative to Telephone Occupation Tax
- #9309 – Consideration of Amending Chapter 22-92 of the Grand Island City Code Relative to Truck and Trailer Parking on Streets
- #9310 – Consideration of Amending Chapter 35 of the Grand Island City Code Relative to Parkview Groundwater
- #9311 – Consideration of Refinancing Bonds for the Heartland Events Center Project
- #9312 – Consideration of Vacation of a Utility Easement Located in Indianhead Seventh Subdivision (3005, 3011 & 3017 Laramie Drive)
- #9313 – Consideration of Vacation of Cedar Ridge Third Subdivision
- #9314 – Consideration of Salary Ordinance

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.

- #9300 – Consideration of Creation of Water Main District 457 (Pioneer Blvd.)
- #9301 – Consideration of Creation of Water Main District 459 (Park Drive)
- #9302 – Consideration of Creation of Water Main District 460 (Grand Avenue & Riverview Drive)
- #9303 – Consideration of Creation of Water Main District 461 (Haage Avenue)
- #9304 – Consideration of Creation of Water Main District 462 (Cochin Street)
- #9305 – Consideration of Creation of Water Main District 463 (Brahma Street & Bantam Street)
- #9306 – Consideration of Creation of Water Main District 464 (Antelope Drive)
- #9307 – Consideration of Creation of Water Main District 465 (Wildwood Drive, Elk Drive, & Cougar Drive)

Utilities Director Tim Luchsinger reported that Ordinances #9300 thru #9307 related to petitions received from property owners to create water main districts in the Parkview Area, Wildwood and Hiser Subdivisions.

Discussion was held regarding Ordinances #9306 & #9307 regarding cost to the City. Mr. Luchsinger sated there would be no cost to the City.

Motion by Gilbert, second by Donaldson to approve Ordinances #9300, #9301, #9302, #9303, #9304, #9305, #9306, and #9307.

City Clerk: Ordinances #9300, #9301, #9302, #9303, #9304, #9305, #9306 and #9307 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 #9300, #9301, #9302, #9303, #9304, #9305, #9306 and #9307 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 #9300, #9301, #9302, #9303, #9304, #9305, #9306 and #9307 are declared to be lawfully adopted upon publication as required by law.

#9308 – Consideration of Amending Chapter 23 of the Grand Island City Code Relative to Telephone Occupation Tax

City Administrator Mary Lou Brown reported Ordinance #9308 was originally brought forward on July 26, 2011. The City had lost 1 million dollars in revenue. These revenues would go into the General Fund. The request was to increase the cell phone occupation tax from 3% to 6%.

Emergency Management Director Jon Rosenland stated the State assessed a 911 surcharge on cell phones which was partially paid back to the City. The increase in occupation tax could not be set aside for the Emergency Management Department.

Mayor Vavricek stated this item was referred from the July 26, 2011 Council meeting so the motion made by Gilbert and second by Niemann was still in effect.

Discussion was held regarding lost revenue and why an increase to the cell phone tax instead of the property tax. Ms. Brown commented about the responsibility of staff to bring forward many solutions. This was not the only solution available to increase revenues. This tax did not have a sunset clause. A lengthy discussion was held regarding a property tax increase.

Upon roll call vote, Councilmember's Gilbert and Ramsey voted aye. Councilmember's Haase, Carney, Nickerson, Donaldson, Dugan, Gard and Gericke voted no. Motion failed.

#9309 – Consideration of Amending Chapter 22-92 of the Grand Island City Code Relative to Truck and Trailer Parking on Streets

Police Chief Steve Lamken reported that Ordinance #9309 would change Section 22-92 of the Grand Island City Code prohibiting parking large trucks and trailers on all streets of the City with the exceptions for deliveries or collections, waiting to deliver or collect so long as the driver is present and for construction of adjacent properties.

Lewis Kent, 624 Meves Avenue spoke in support.

Motion by Carney, second by Gilbert to approve Ordinance #9309.

Discussion was held by Council regarding notification of Code change, enforcement, and time limit of one-hour parking for trucks and trailers.

Motion by Dugan, second by Nickerson to amend parking from 1 hour to 3 hours.

Discussion was held regarding the 3 hour parking and verification of time a truck and/or trailer was parked on the street.

Upon roll call vote of the amendment, Councilmember's Nickerson, Dugan, and Gard voted aye. Councilmember's Haase, Carney, Ramsey, Gilbert, Donaldson, and Gericke voted no. Motion failed.

City Clerk: Ordinance #9309 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9309 on 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 Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9309 is declared to be lawfully adopted upon publication as required by law.

#9310 – Consideration of Amending Chapter 35 of the Grand Island City Code Relative to Parkview Groundwater

Bradley Vann representing the EPA reported that Ordinance #9310 would add Article VIII to Chapter 35 of the Grand Island City Code relative to Groundwater Control Area No. 3.

Motion by Gilbert, second by Ramsey to approve Ordinance #9310.

City Clerk: Ordinance #9310 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9310 on 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 Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9310 is declared to be lawfully adopted upon publication as required by law.

#9311 – Consideration of Refinancing Bonds for the Heartland Events Center Project

Bruce Lefler representing Ameritas reported that Ordinance #9311 was the refinancing of the Heartland Events Center Project Building Bonds, Series 2004 in the principal amount of \$7,765,000 to be replaced with the issuance of Refunding Building Bonds (Heartland Events Center Project), Series 2011 in the principal amount of \$5,795,000.

Lewis Kent, 624 Meves Avenue commented that the total cost of the Fieldhouse would be less and the money saved could be used on what we need, not what we want. Ms. Brown stated the money saved would go into the General Fund.

Motion by Haase, second by Gard to approve Ordinance #9311.

Discussion was held concerning the City taking over of the Heartland Events. Ms. Brown stated the City would take ownership once the bonds were paid off.

City Clerk: Ordinance #9311 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9311 on 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 Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9311 is declared to be lawfully adopted upon publication as required by law.

#9312 – Consideration of Vacation of a Utility Easement Located in Indianhead Seventh Subdivision (3005, 3011 & 3017 Laramie Drive)

Public Works Director John Collins reported that Ordinance #9312 would vacate an existing 10' wide utility easement located at 3050, 3011 & 3017 Laramie Drive. The easement had no current utilities located in it, nor was there a need anticipated in the future.

Motion by Ramsey, second by Nickerson to approve Ordinance #9312.

City Clerk: Ordinance #9312 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9312 on 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 Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9312 is declared to be lawfully adopted upon publication as required by law.

#9313 – Consideration of Vacation of Cedar Ridge Third Subdivision

Regional Planning Director Chad Nabity reported that Ordinance #9313 would vacate Cedar Ridge Third Subdivision which was platted in 2007 consisting of 9.016 acres. Sanitary sewer, water and storm sewer were constructed but no further development had occurred. This property was sold to Ryan B. O'Connor with RBO LLC and was proposing to redevelop it in a slightly different configuration, utilizing the existing utilities.

Motion by Donaldson, second by Gard to approve Ordinance #9313.

City Clerk: Ordinance #9313 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9313 on 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 Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9313 is declared to be lawfully adopted upon publication as required by law.

#9314 – Consideration of Salary Ordinance

Human Resources Director Brenda Sutherland reported that Ordinance #9314 was the Salary Ordinance which would reclassify a position in the Planning Department to Community Development Specialist and reflect the wages for AFSCME and IAFF.

Discussion was held regarding comparability.

Motion by Gilbert, second by Ramsey to approve Ordinance #9314.

City Clerk: Ordinance #9314 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmember's Carney, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, Gard, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

City Clerk: Ordinance #9314 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmember's Carney, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, Gard, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9314 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-4 was pulled from the agenda. Consent Agenda item G-13 was removed for further discussion. Motion by Ramsey, second by Nickerson to approve the Consent Agenda excluding items G-4 and G-13. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of July 25, 2011 City Council Special Meeting.

Approving Minutes of July 26, 2011 City Council Regular Meeting.

Approving Request of Fonner Park Exposition and Events Center, Inc. (Heartland Events Center) for Ratification of Election of Board of Directors.

#2011-188 – Approving Redemption of Series 2004 Building Bonds for the Heartland Events Center Project. This item was pulled from the agenda at the request of Bond Counsel.

#2011-189 – Approving Final Plat and Subdivision Agreement for Buffett Subdivision. It was noted that Leonard & Marlene Mader, owners, had submitted the Final Plat and Subdivision Agreement for Buffett Subdivision for the purpose of creating 1 lot on a tract of land located north of Abbott Road and east of US Highway 281 in the two mile extraterritorial jurisdiction containing approximately 2.583 acres.

#2011-190 – Approving Final Plat and Subdivision Agreement for Oak Pointe Subdivision. It was noted that R. B. O., LLC, owner, had submitted the Final Plat and Subdivision Agreement for Oak Pointe Subdivision for the purpose of creating 10 lots on a tract of land located east of Sagewood Avenue and south of 13th Street containing approximately 9.016 acres.

#2011-191 – Approving Acquisition of Utility Easement at the Extension of 8th Street between Boggs and White Streets (Hall County Housing Authority).

#2011-192 – Approving Acquisition of Utility Easement Located at Stolley Park Road and Burlington Northern/Santa Fe Railroad, Merrick County (Rudolph Kruse, Sr.).

#2011-193 – Approving Acquisition of Utility Easement Located at 1310 Branding Iron Lane (Gerald & Patricia Kindig).

#2011-194 – Approving Corrected Utility Easement Located at 1839 and 1919 East 4th Street (Tommy Ummel, Sr., Tommy Ummel, Jr. and Cary Ummel).

#2011-195 – Approving Bid Award for Natural Gas Supply for Burdick Station from October 1, 2011 through September 30, 2013 with Seminole Energy Services of Holdrege, Nebraska.

#2011-196 – Approving Bid Award for Purchase of Fly Ash from Platte Generating Station with Ash Grove Resources, LLC of Topeka, Kansas in an Amount of \$8.00 per dry ton.

#2011-198 – Approving Storm Water Management Plan Program Grant Application.

#2011-199 – Approving Agreement with Kirkham Michael & Associates, Inc. of Omaha, Nebraska for Engineering Consulting Services for Inspection, Structural Analysis and Evaluation of the Eddy Street and Sycamore Street Underpasses in an Amount not-to-exceed \$42,932.20.

#2011-200 – Approving Agreement for Engineering Consulting Services Related to State Street and Capital Avenue Connector Trail Project with The Schemmer Associates, Inc. of Lincoln, Nebraska in an Amount not-to-exceed \$87,043.53.

#2011-201 – Approving Designating No Parking on Both Sides of West North Front Street, from Webb Road East to Eisenhower Drive.

#2011-202 – Approving Acquisition of Public Utility Easement Located in the Northwest Quarter of the Northwest Quarter of Section 24, Township 11, Range 10 (Little B's Corporation).

#2011-203 – Approving Agreement for Temporary Construction Easement in the Moores Creek Drain Extension Project No. 2008-D-2 Area (North Road and Old Potash Highway).

#2011-204 – Approving Agreement with Kirkham Michael & Associates, Inc. of Omaha, Nebraska for Preliminary Engineering Services for US Highway 30 Drainage Improvement Project in an Amount not-to-exceed \$99,231.53 with the City share of \$19,846.31.

#2011-205 – Approving Renewal of MUNIS Contract with Tyler Technologies, Inc. in an Amount of \$125,695.89.

#2011-206 – Approving 2011-2012 Community Redevelopment Authority (CRA) Budget. Councilmember's Nickerson and Gilbert voted no.

#2011-207 – Approving Change Order No. 1 on Project WWTP-2010-3 for Aeration Basin Improvements at the Wastewater Treatment Plant with Oakview dck, LLC of Red Oak Iowa for an increase of \$89,252.00 and a Revised Contract Amount of \$3,576,252.00.

#2011-197 – Approving Greener Nebraska Towns 2011 Program Grant Agreement. Community Development Administrator Joni Kuzma reported that Grand Island was one of eight Nebraska communities selected to receive a \$55,000 Greener Nebraska Towns Program grant. Ms. Kuzma answered questions concerning the grant money. Current projects in the works could be used for the City's match. Private contributions were encouraged and used.

Motion by Dugan, second by Gard to approve Resolution #2011-197. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2011-208 – Consideration of Request from Doc & Fritz's Shady Bend, Inc. dba Doc & Fritz's Shady Bend, 3609 E. Hwy 30 for an Addition of a Sidewalk Café to their Class "C" Liquor License. This item related to the aforementioned Public Hearing.

Motion by Ramsey, second by Gericke to approve Resolution #2011-208 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2011-209 – Consideration of Intent to Annex Areas 3a, 6, 7, 12, 13, & 14. Planning Director Chad Nabity reported that 6 of the 8 identified areas were complete and considered by the Regional Planning Commission as requested by Council at the March 22, 2011 City Council meeting. Council needed to pass a resolution stating their intent to annex, approve annexation plans and set public hearings on the annexations. Two resolutions were presented; Resolution 2011-209(A) included all 6 areas originally proposed and Resolution #2011-209(B) included area 7 as recommended by the Regional Planning Commission.

Floyd Leiser, 355 No. Engleman Road requested that 80 acres of farm ground in Area 14 along North Road not be included in the annexation. Discussion was held concerning this property being surrounded by City limits.

Discussion was held regarding the Regional Planning Commission's decision to take out farm ground in Area 7 – Vanosdall property.

Mr. Nabity explained the next step would be a Public Hearing and the first reading of the Ordinance at the September 27, 2011 City Council meeting.

Motion by Gilbert, second by Nickerson to approve Resolution #2011-209. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Discussion was held regarding a claim from the National League of Cities in the amount of \$3,813.00 and what benefit the City received being a member. Ms. Brown stated this was for the

annual dues and with her only being a City Administrator for such a short time she didn't know the value of the membership.

Motion by Haase, second by Gard to remove the claim to the National League of Cities in the amount of \$3,813.00 p page 49 of the Schedule of Bills. Upon roll call vote, Councilmember's Haase, Dugan, and Gard voted aye. Councilmember's Carney, Ramsey, Gilbert, Nickerson, Donaldson, and Gericke voted no. Motion failed.

Motion by Dugan, second by Nickerson to approve the Claims for the period of July 27, 2011 through August 9, 2011, for a total amount of \$2,020,783.60. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Ramsey to adjourn to Executive Session at 9:30 p.m. for the purpose of union negotiation updates and possible litigation for the protection of the public interest. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Donaldson, second by Nickerson to return to Regular Session at 10:15 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 10:15 p.m.

RaNae Edwards
City Clerk