



# City of Grand Island

Tuesday, October 25, 2011

Council Session

## Item G1

**Approving Minutes of October 11, 2011 City Council Regular Meeting**

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

October 11, 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 October 11, 2011. Notice of the meeting was given in *The Grand Island Independent* on October 5, 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, Mitch Nickerson, Linna Dee Donaldson, Scott Dugan, Randy Gard, and John Gericke. Council President Peg Gilbert was absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Robert Sivick, Public Works Director John Collins and Interim Finance Director Jaye Monter.

INVOCATION was given by Pastor Terry Brandenburg, Peace Lutheran Church, 1710 N. North Road followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Emily Heineman and Brianna Vitera and Board member Jared Stockwell. Mentioned were the seven labor unions that the City had completed this year.

Councilmember Ramsey commented on the youth of our community and mentioned that the Grand Island Senior High Girls golf team won the Class "A" championship.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Bud Jeffries for Service on the Hall County Board of Supervisors. Mayor Vavricek and the City Council recognized Bud Jeffries for his service on the Hall County Board of Supervisors and to the community of Hall County and Grand Island. Family members of Bud Jeffries were present for the recognition.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement located at 2900 West US Highway 34 (Doralene Niedfelt). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2900 West US Highway 34 was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of placing underground conduit, high voltage cable and a single phase pad-mounted transformer to provide electricity to two new homes to be built on adjacent lots. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 4124 North Webb Road (Leonard & Marlene Mader). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4124 North Webb Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of providing a location for the three phase underground conduit, cable, and pad-mounted

transformer to serve the new grain dryer and storage recently added to the property. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 2300 West US Highway 34 (Lynn & Amy Mayhew). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2300 West US Highway 34 was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose placing underground conduit, high voltage cable and a single phase pad-mounted transformer to provide electricity to two new homes to be built on adjacent lots. Staff recommended approval. No public testimony was heard.

RESOLUTIONS:

#2011-308 – Consideration of Approving the IBEW (Finance) Labor Agreement. Human Resources Director Brenda Sutherland reported that this labor agreement was fairly status quo with few changes recommended. This was a one year agreement with a 1.75% wage increase. The I.T. Department employees were removed as they were covered under the Service/Clerical labor agreement. Other changes were: a March 15<sup>th</sup> and September 15<sup>th</sup> deadline for personal day usage, the addition of vacation scheduling language, the removal of outdated language such as medical leave buy back, and the stipulation that Chapters 1, 2, and 3 of the Personnel Rules as of October 1, 2011 were made part of the contract.

Motion by Gericke, second by Nickerson to approve Resolution #2011-308. Upon roll call vote, all voted aye. Motion adopted.

#2011-309 – Consideration of Approving the IBEW (Utilities) Labor Agreement. Human Resources Director Brenda Sutherland reported that this labor agreement was fairly status quo with few changes recommended. This was a one year agreement with a 1.75% wage increase. Other changes were: changing the GIS Technician to GIS Coordinator to reflect the change that was made a year ago, a March 15<sup>th</sup> and September 15<sup>th</sup> deadline for personal day usage, the addition of vacation scheduling language, the removal of outdated language such as medical leave buy back, and the stipulation that Chapters 1, 2, and 3 of the Personnel Rules as of October 1, 2011 were made part of the contract.

Motion by Gericke, second by Nickerson to approve Resolution #2011-309. Upon roll call vote, all voted aye. Motion adopted.

#2011-310 – Consideration of Approving the IBEW (Wastewater) Labor Agreement. Human Resources Director Brenda Sutherland reported that this labor agreement had few changes recommended. This was a one year agreement with a 1.25% wage increase. The most notable change was the increase of vacation hours to match other City employees. Other changes included changing grandchildren from non-immediate to immediate family for purposes of bereavement leave, increasing the medical leave time allowed for the care of family members and a March 15<sup>th</sup> and September 15<sup>th</sup> deadline for personal day usage.

Motion by Gericke, second by Nickerson to approve Resolution #2011-310. Upon roll call vote, all voted aye. Motion adopted.

IBEW representative Dan Quick was present to sign the IBEW Labor Agreements along with Mayor Vavricek.

ORDINANCES:

#9334 – Consideration of Annexation of Olson Subdivision Located South of Airport Road and North and West of US Highway 281 (Second Reading)

Regional Planning Director Chad Naby reported this was the second of three readings for the annexation of Olson Subdivision.

Motion by Dugan, second by Gericke to approve Ordinance #9334 on second reading. Upon roll call vote all voted aye. Motion adopted.

Councilmember Nickerson moved “that the statutory rules requiring ordinances to be read by title on three different days are suspended and that ordinances numbered:

#9336 – Consideration of Amending Grand Island City Code Chapter 22-103 Relative to Parking Fines

#9337 – 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 Ramsey second the motion. Upon roll call vote, all voted aye. Motion adopted.

Police Chief Steve Lamken reported that Ordinance #9336 would change the City Code to \$20.00 to match the fee scheduled approved by Council relative to parking fines.

Human Resources Director Brenda Sutherland reported that Ordinance #9337 would support the three labor agreements with IBEW approved earlier.

Motion by Ramsey, second by Donaldson to approve Ordinances #9336 & #9337.

City Clerk: Ordinances #9336 & #9337 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 #9336 & #9337 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 #9336 & #9337 are declared to be lawfully adopted upon publication as required by law.

#9335 – Consideration of City Council’s Approval of All Individual City Negotiators

City Attorney Robert Sivick reported that at the September 27, 2011 City Council meeting, the Council passed Ordinance #9335 on a 6 to 3 vote. Mayor Vavricek exercised his right to veto the Ordinance. In order to override the veto there would have to be a two-thirds vote of the Council or seven votes.

Motion by Haase, second by Carney to override the Mayor’s veto from the September 27, 2011 meeting for Ordinance #9335.

A lengthy discussion was held regarding the intent of the Ordinance. Councilmember Carney commented his desire for the Council to be more involved with the negotiation process. Comments were made regarding the current negotiators and how well the process had been working with the right people doing the job. Mentioned was this ordinance would clarify the negotiation process that was in place and the need to bring this issue back before Council with more specific language.

City Clerk: Ordinance #9335 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 Haase, Carney, Niemann, and Gericke voted aye. Councilmember’s Ramsey, Nickerson, Donaldson, Dugan, and Gard voted no. Motion failed.

CONSENT AGENDA: Motion by Ramsey, second by Dugan to approve the Consent Agenda excluding item G-. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of September 27, 2011 City Council Regular Meeting.

Approving Minutes of October 4, 2011 City Council Study Session.

Approving Appointment of Dennis McCarty to the Regional Planning Commission Board.

Approving Appointment of James Phipps to the Citizens’ Review Committee Board.

#2011-296 - Approving City Council Meeting Schedule for 2012.

#2011-297 – Approving Acquisition of Utility Easement Located at 2900 West US Highway 34 (Doralene Niedfelt).

#2011-298 – Approving Acquisition of Utility Easement Located at 4124 North Webb Road (Leonard & Marlene Mader).

#2011-299 – Approving Acquisition of Utility Easement Located at 2300 West US Highway 34 (Lynn & Amy Mayhew).

#2011-300 – Approving Bid Award for Uranium Removal Water Treatment Plant – Building Construction with Chief Construction Company of Grand Island, Nebraska in an Amount of \$324,857.30.

#2011-301 – Approving Bid Award for the Broadwell Avenue Shoulder Improvement – Capital Avenue to the Veteran’s Athletic Fields with J.I.L. Asphalt Paving Company of Grand Island, Nebraska in an Amount of \$119,193.70.

#2011-302 – Approving Change Order No. 1 for the Grand Island Quiet Zone Project No. 2012-QZ-1 with The Diamond Engineering Company of Grand Island, Nebraska resulting in no change to the contract amount.

#2011-303 – Approving Change Order No. 2 for asphalt Maintenance Project 2011-AC-1 with J.I.L. Asphalt Paving Co. of Grand Island, Nebraska for a decrease of \$551.58 and a Revised Contract Amount of \$327,700.78.

#2011-304 – Consideration of Intent to Annex Areas 3a, 6, 7, 12, 13 & 14.

#2011-305 – Approving Interdepartmental Fund Transfer for Aeration Basin Improvements; Project WWTP-2010-3 at the Wastewater Treatment Plant.

#2011-306 – Approving Bid Award for Infield Soil Conditioner at the Veteran’s Athletic Field Complex with Dakota Transport of Hampton, Minnesota in an Amount of \$96,000.00.

REQUESTS AND REFERRALS:

Consideration of Request from Wyoming Financial Lenders, Inc. dba Payday Express, 645 South Locust Street for a Pawnbroker’s License. City Clerk RaNae Edwards reported that an application for a Pawnbroker’s License had been received from Wyoming Financial Lenders, Inc. dba Payday Express located at 645 South Locust Street. All documents had been received as required by City Code along with the Police Department recommending approval.

Motion by Donaldson, second by Nickerson to approve the request from Wyoming Financial Lenders, Inc. dba Payday Express, 645 South Locust Street for a Pawnbroker’s License. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2011-307 – Consideration of Approving Agreement for Professional Engineering Services Entitled “Wastewater Treatment Plant and Collection System Rehabilitation”. Public Works Director John Collins reported that this item was presented to Council at the October 4, 2011 Study Session. It was recommended that a contract with Black & Veatch of Kansas City, Missouri be approved.

Motion by Dugan, second by Haase to approve Resolution #2011-307. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gard to approve the Claims for the period of September 28, 2011 through October 11, 2011, for a total amount of \$4,076,452.27. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:05 p.m.

RaNae Edwards  
City Clerk