



City of Grand Island

Tuesday, February 14, 2012

Council Session

Item G1

Approving Minutes of January 24, 2012 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

January 24, 2012

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 January 24, 2012. Notice of the meeting was given in *The Grand Island Independent* on January 18, 2012.

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: 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 Chad Boling, First United Methodist Church, 4190 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Ashley Bykerk and Brianna Vitera along with Board member Erin Blauhorn.

City Administrator Mary Lou Brown updated Council on 13 legislative bills that had impact to the City. LB 729 – Update Community Development Law; :LB 745 - Occupation Taxes; LB 766 - Hazmat legislation; LB 813 - Credential Licensing; LB 847 - Enhanced 911 Wireless; LB 864 - Bond Recording Duties; LB 868 - Bi-Annual Budgets for First Class; LB 918 - Tax Increment Financing; LB 932 - Sanitary Improvement Districts Voting; LB 956 - Local Option Sales Tax; LB 1001 - Creation of a Building Code Advisory Committee; LB 1082 - Change in Police Pension Calculation; and LB 1114 - Municipal Equalization Fund.

Mayor Vavricek commented on an advertisement in the Grand Island Independent concerning the Wastewater Treatment Plant submitted by IBEW.

Councilmember Haase was recognized to speak and cited an order of the day. Mayor Vavricek ruled the member's point of order had no merit since the question was raised at the conclusion of the Mayor's comments.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Russ Bolling, Firefighter/Paramedic for 20 Years of Service with the City of Grand Island. Mayor Vavricek and the City Council recognized Russ Bolling, Firefighter/Paramedic for 20 years of service with the City of Grand Island. Mr. Bolling was present for the recognition.

Recognition of the Central Nebraska Regional Airport. Mayor Vavricek and the City Council recognized the outstanding air service provided by the Central Nebraska Regional Airport (CNRA) to the people of central Nebraska. Executive Director Mike Olson commented on the successes of the airport. There was a 500% increase in boarding's over the last three plus years.

American Eagle was very pleased with the performance of Grand Island. Aligant Air had over a 90% load factor on every plane since 2008. Over the next few years they would construct a new terminal and expand the primary runway. The Airport would like to turn sewer lines over to the City. Over the next five years the Airport would expend over \$117,000,000. Harold Rosenkotter, 4110 Terra Circle spoke about the improvements at CNRA.

PUBLIC HEARINGS:

Public Hearing on Request from Gordo's, Inc. dba El Mariachi Authentic Mexican Food, 2418 North Webb Road, Suite A for a Class "I" Liquor License. This item was pulled from the agenda at the request of the Applicants attorney.

Public Hearing on Request from Rodrigo Sanchez dba El Centenario Bar & Grill, 316 East 2nd Street for a Class "C" Liquor License. RaNae Edwards, City Clerk reported that an application for a Class "C" Liquor License had been received from Rodrigo Sanchez dba El Centenario Bar & Grill, 316 East 2nd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on December 21, 2011; notice to the general public of date, time, and place of hearing published on January 14, 2012; notice to the applicant of date, time, and place of hearing mailed on December 21, 2011; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Jerry Janulewicz, 308 North Locust Street, attorney for the applicant spoke in support and introduced Rodrigo Sanchez. No further public testimony was heard.

Public Hearing on Acquisition of Real Estate Located South of the BNSF Railroad Tracks between Bismark Road and Stuhr Road (T & S Land Development, LLC). Utilities Director Tim Luchsinger reported that acquisition of real estate located south of the BNSF Railroad Tracks between Bismark Road and Stuhr Road was needed to relocate utility lines for the BNSF second track project. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Real Estate Located South of the BNSF Railroad Tracks between Bismark Road and Stuhr Road (Gary R. Jacobson, Lloyd B. & Carol J. Gunderson, Trustees o/b/o Jocar Living Trust). Utilities Director Tim Luchsinger reported that acquisition of real estate located south of the BNSF Railroad Tracks between Bismark Road and Stuhr Road was needed to relocate utility lines for the BNSF second track project. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement in Timberline Second Subdivision (HBCC Timberline, LLC). Public Works Director John Collins reported that acquisition of a utility easement located in Timberline Second Subdivision was needed to allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement for the Burlington Northern Santa Fe Railroad double track project. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 4030 East Highway 30 (Robert and Julie Stahla). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4030 East Highway 30 was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of installing underground conduit, high voltage cable and a pad-mounted transformer to supply

three phase electricity to a new business. Staff recommended approval. No 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:

#9358 – Consideration of Vacation of a Utility Easement Located in Timberline Second Subdivision (HBCC Timberline LLC)

#9359 – Consideration of Vacation of Thorn Street West’s Subdivision (Personal Automotive Services, Inc.)

#9560 – Consideration of Vacation of a Utility Easement Located in Platte Valley Industrial Park Third Subdivision (4201 Gold Core Drive – Royce and Janice Carville)

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 Gericke second the motion. Upon roll call vote, all voted aye. Motion adopted.

Public Works Director John Collins reported Ordinance 9358 was a request from Burlington Northern Santa Fe Railroad to vacate a 30 foot wide utility easement and relocate it further north. Ordinance #9359 was a request from Personal Automotive Services, Inc. to vacate Thorn Street to be used for parking, storage and placement of a business sign. The City had no intended use for the street right-of-way. Ordinance #9560 was a request from Royce and Janice Carville to vacate a 55 foot wide utility easement to allow for future building expansion and detention pond for the FedEx property at 4201 Gold Core Drive.

Motion by Gericke, second by Haase to approve Ordinances #9358, #9359 and #9360.

City Clerk: Ordinances #9358, #9359 and #9360 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 #9358, #9359 and #9360 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 #9358, #9359 and #9360 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Ramsey, second by Gard to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of January 10, 2012 City Council Regular Meeting.

Approving Minutes of January 17, 2012 City Council Special Meeting.

#2012-15 – Approving Acquisition of Real Estate Located South of the BNSF Railroad Tracks between Bismark Road and Stuhr Road (T & S Land Development, LLC).

#2012-16 – Approving Acquisition of Real Estate Located South of the BNSF Railroad Tracks between Bismark Road and Stuhr Road (Gary R. Jacobson, Lloyd B. & Carol J. Gunderson, Trustees o/b/o Jocar Living Trust).

#2012-17 – Approving Acquisition of Utility Easement Located at 4030 East Highway 30 (Robert and Julie Stahla).

#2012-18 – Approving State Bid Contract for (4) Four Police Vehicles with Anderson Ford, Grand Island, Nebraska in an Amount of \$106,096.00.

#2012-19 – Approving Bid Award for One (1) 2012 Four Wheel Drive Front End Loader for the Solid Waste Division with Nebraska Machinery of Doniphan, Nebraska in an Amount of \$218,533.00.

#2012-20 – Approving Acquisition of Public Utility Easement Located in Timberline Second Subdivision (HBCC Timberline LLC).

#2012-21 – Approving Union Pacific Railroad Pipeline Crossing Agreement – Sanitary Sewer District 527T – Wildwood Drive and Schimmer Drive.

#2012-22 – Approving Change Order #1 for Burdick Reservoir Painting with Linder Painting, Inc. of Seward, Nebraska for an Increase of \$2,900.00 and a Revised Contract Amount of \$397,020.00.

REQUEST S AND REFERRALS:

Approving Referral of the One & Six Year Street Improvement Plan to the Regional Planning Commission. Public Works Engineer Terry Brown reported that adoption of a One and Six Year Street Improvement Plan was required by State law as part of the requirements to receive approximately three million dollars of gas tax funds each year. If approved for referral, the Regional Planning Commission would conduct a Public Hearing at their February 1, 2012 meeting and would forward their recommendations to the City Council at their February 14, 2012 regular meeting. The report would then be submitted to the Nebraska Department of Roads by March 1, 2012. A PowerPoint presentation was given showing the 2012, 2013, 2014, 2015, 2016, and 2017 and beyond Construction projects and amounts.

Discussion was held regarding traffic flow during construction on Highway 30 & 34. Mr. Brown stated the roads would not be closed but would be rerouted.

Motion by Gilbert, second by Niemann to approve referring the One & Six Year Street Improvement Plan to the Regional Planning Commission. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2012-23 – Consideration of Request from Gordo's, Inc. dba El Mariachi Authentic Mexican Food, 2418 North Webb Road, Suite A for a Class 'I' Liquor License and Liquor Manager Designation for Jose Bravo, 2307 Plum Creek, Lexington, Nebraska. This item was pulled from the agenda at the request of the Applicants attorney.

#2012-24 – Consideration of Request from Rodrigo Sanchez dba El Centenario Bar & Grill, 316 East 2nd Street for a Class "C" Liquor License. This item related to the aforementioned Public Hearing.

Motion by Haase, second by Donaldson to approve Resolution #2012-24 contingent upon final inspections and completion of a state approved alcohol server/seller training program. Upon roll call vote, all voted aye. Motion adopted.

#2012-25 – Consideration of Lincoln Park Swimming Pool. Parks & Recreation Director Steve Paustian reported that at the January 17, 2012 Study Session, discussion took place regarding rehabilitation and new construction options of the Lincoln Park pool project. New construction in the amount of \$1,550,000 would be budgeted to move this project forward with Council's approval.

Motion by Dugan, second by Carney to approve Resolution #2012-25. Upon roll call vote, all voted aye. Motion adopted.

#2012-5 – Consideration of Contract for Installation & Purchase of 911 CPE System. Emergency Management Director Jon Rosenlund reported that bids were let for the installation and purchase of 911 CPE System. Currently the City used 4 consoles in the 911 center. Discussion was held regarding 4 versus 5 consoles. Mr. Rosenlund stated in order to reduce cost the department decided to go with 4 consoles which would replace the current ones. Explained was the current system and software licenses.

Motion by Haase, second by Niemann to approve Resolution #2012-5. 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 January 11, 2012 through January 24, 2012, for a total amount of \$3,547,718.14. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:43 p.m.

RaNae Edwards
City Clerk