



City of Grand Island

Tuesday, April 24, 2012

Council Session

Item G1

Approving Minutes of April 10, 2012 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 10, 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 April 10, 2012. Notice of the meeting was given in *The Grand Island Independent* on April 4, 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, Vaughn Minton, 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 Finance Director Jaye Monter.

INVOCATION was given by Father Richard Piontkowski, St. Mary's Cathedral Catholic Church, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member McKenzie Reed and Board member Celine Swan.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Barbershop Harmony Week" April 10, 2012. Mayor Vavricek proclaimed the week of April 10, 2012 as "Barbershop Harmony Week". The Conestoga Barbershop Chorus was present for the presentation and sang a song.

Proclamation "National Library Week" April 8-14, 2012. Mayor Vavricek proclaimed the week of April 8-14, 2012 as "National Library Week". Karl Kostbahn was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Chanh Bandasack dba South Front Reception, 123 East South Front Street for a Class "I" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "I" Liquor License had been received from Chanh Bandasack dba South Front Reception, 123 East South Front Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 14, 2012; notice to the general public of date, time, and place of hearing published on March 31, 2012; notice to the applicant of date, time, and place of hearing mailed on March 16, 2012; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and completion of a state approved alcohol server/seller training program. No public testimony was heard.

Public Hearing on the 2012 Justice Assistance Grant (JAG). Steve Lamken, Police Chief reported that Grand Island Police Department and Hall County Sheriff's Department were eligible to receive Justice Assistance Grant money in the amount of \$22,379.00 and \$7,459.00 respectively. Staff recommended approval. No public testimony was heard.

Public Hearing on the Semi-Annual Report by the Citizens' Review Committee on the Economic Development Program Plan. Citizens' Review Committee Chairman Lisa Willman reported that the

Semi-Annual Report was approved by the Citizens' Review Committee on Tuesday April 3, 2012. The Report was required by State Statute and City Code.

Marlan Ferguson, President of Economic Development Corporation presented the Semi-Annual Report. Mr. Ferguson commented on the support from past and present mayors and Council members for economic and community development. The economic development program was scheduled to sunset in 2013 and currently was in the ninth year of a ten year program. A PowerPoint presentation was given updating the Council on the LB 840 activities. 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 ordinance numbered:

#9377 – Consideration of Amending to Chapter 16 of the Grand Island City Code Relative to Fireworks

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 this ordinance on second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage." Councilmember Haase seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Fire Operations Division Chief Tim Hiemer reported that Ordinance No. 9377 would amend Chapter 16 of the Grand Island City Code relative to fireworks storage locations, liability insurance, limited days to sell, limited hours of discharge, number of stands, and increased permit fee.

The following people spoke in opposition:

- Tom Townes, 1609 Meadow Road
- Marvin Kohler, 1739 Ingalls Road
- Margie Kohler, 1739 Ingalls Road

Motion by Gilbert, second by Carney to approve Ordinance #9377 with the exception of not limiting the number of days.

Discussion was held regarding leaving the number of days to sell fireworks at eight. Comments were made concerning the quality of life, noise, and impact on law enforcement,

Motion by Nickerson, second by Gericke to reduce the number of days to sell fireworks to seven. Upon roll call vote, Councilmembers Niemann, Gilbert, Nickerson, Donaldson, Dugan, Minton and Gericke voted aye. Councilmembers Haase, Carney and Ramsey voted no. Motion adopted.

Mr. Hiemer answered questions concerning inspections. Mr. Towne and Mr. Kohler answered questions regarding the number of days to sell fireworks and the impact on revenue to the vendors.

City Attorney Bob Sivick explained the reasons for the insurance requirement. City Administrator Mary Lou Brown stated most vendors carried insurance so the cost would not go up. Number of stands was discussed on a first come first serve basis. Mr. Kohler recommended that preference for permits be given to local residents of Grand Island.

Motion by Haase, second by Gilbert to amend the main motion that the previous permit holders be given preference for the following year and a date will be set by the Fire Department regarding a deadline to apply for a permit.

Motion by Gericke, second by Carney to refer this Ordinance to a future date. Upon roll call vote, Councilmembers Carney, Niemann, Ramsey, Nickerson, Donaldson, Dugan, Minton and Gericke voted aye. Councilmembers Haase and Gilbert voted no. Motion adopted.

CONSENT AGENDA: Consent Agenda items G-6, G-11 and G-16 were pulled for further discussion. Motion by Ramsey, second by Niemann to approve the Consent Agenda excluding items G-6, G-11 and G-16. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of March 26, 2012 City Council Regular Meeting.

Approving Minutes of April 3, 2012 City Council Study Session.

Approving Request from Paul Younes, 6 West 21st Avenue Place, Kearney, Nebraska for Liquor Manager Designation for Fairfield Inn & Suites, 805 Allen Drive.

#2012-85 – Approving 2012 VOCA Grant Application.

#2012-86 – Approving 2012 Justice Assistance Grant Application and Memorandum of Understanding with Hall County.

#2012-88 – Approving Bid Award for Turbine Generator Inspection and Repair with Megnetech Industrial Services of Saraland, Alabama in an Amount of \$496,338.00.

#2012-89 – Approving Bid Award for 2013 Truck with Digger Derrick Unit – Utilities Line Division with Altec Industries of St. Joseph, Missouri in an Amount of \$203,969.00.

#2012-90 – Approving Supplemental Agreements with Burlington Northern Santa Fe Railroad – Double Track Project.

#2012-91 – Approving Bid Award for (90) Fire Hydrants with HD Supply Waterworks of Omaha, Nebraska in an Amount of \$125,460.00.

#2012-93 – Approving Time Extension for 911 Phone Installation with Platte Valley Communications of Grand Island, Nebraska with a completion date of May 31, 2012.

#2012-94 – Approving Bid Award for Concrete Pavement and Storm Sewer Repairs for 2012 with OK Paving of Hordville, Nebraska in an Amount of \$733,175.00.

#2012-95 – Approving Correction to Resolution No. 2010-361; Acquisition of Landscape Easements Located in Business Improvement District No. 6 (Second Street).

#2012-96 – Approving Award of Proposal for Engineering Services Related to Environmental Monitoring Services at the Landfill with G.N. Kuhn Engineering, LLC of Omaha, Nebraska in an Amount not-to-exceed \$54,950.00 over a five-year period.

#2012-98 – Approving FEMA Hazard Mitigation Grant for Siren Replacement.

#2012-87 – Approving Bid Award for Water Main District 458T and Sanitary Sewer District 527T – Platte Valley Industrial Park with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$1,262,909.56. Utilities Director Tim Luchsinger reported this was a bid award for installation of Water Main District 458T and Sanitary Sewer District 527T at the Platte Valley Industrial Park. The City had applied and received a grant of up to \$935,000 based on matching funds from the City of \$1.2 million. EDC allowed \$575,000 for this project.

Discussion was held regarding the revenues, block grant funds, LB 840 funds and the city portion owed for this project. Mr. Ferguson explained the breakdown of the revenue.

Motion by Haase, second by Nickerson to approve Resolution #2012-87. Upon roll call vote, all voted aye. Motion adopted.

#2012-92 – Approving Amendment to Finance Personnel FTE Budget Allocation. Finance Director Jaye Monter reported that this request was for a seasonal .25 FTE increase in the Finance Department to hire an interim from Kearney.

Concerns were brought forward of creating a position for a particular person and the vacancies in the Finance Department that had not been filled. Comments were made regarding internships with no salary and this position of \$5,400 should be opened up to other applicants. Ms. Monter stated if they were job shadowing they would not be paid, but if they actually worked for the City we would have to be paid. City Administrator Mary Lou Brown commented that the Nebraska City/County Managers Association had worked with UNO and Kearney and encouraged internship programs.

Motion by Gilbert, second by Niemann to approve Resolution #2012-92. Upon roll call vote, Councilmembers Carney, Niemann, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, Minton, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

#2012-97 – Accepting the Semi-Annual Report by the Citizens’ Review Committee on the Economic Development Program Plan. This item related to the aforementioned Public Hearing item.

It was mentioned that there was \$269,000 available for LB 840 funding this year. Mr. Ferguson explained the changes made to the contracts after Structured Solutions failure and lessons learned.

Motion by Gilbert, second by Niemann to approve Resolution #2012-97. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2012-99 – Consideration of Request from Chanh Bandasack dba South Front Reception, 123 East South Front Street for a Class “T” Liquor License This item related to the aforementioned Public Hearing.

Motion by Haase, second by Donaldson to approve Resolution #2012-99 contingent upon final inspections and completion of a state approved alcohol server/seller program. Upon roll call vote, all voted aye. Motion adopted.

#2012-100 – Approving the Power Sales Agreement for Broken Bow Wind Project. Utilities Director Tim Luchsinger reported that the Utilities Department had been involved in renewable energy. The

most cost effective form was in the area of wind energy. The City had participated with Springview, Ainsworth, Elkhorn Ridge, and Laredo Ridge projects.

The Nebraska Public Power District had entered into a Power Purchase Agreement with Broken Bow Wind, LLC, for the output of the project, and was re-marketing portions of that power to other electric utilities. The City was recommending participation in this project at 1 MW.

A recommendation was made to have a comparison report on wind energy. Cost of renewable energy and long term energy was discussed.

Motion by Haase, second by Carney to approve Resolution #2012-99. Upon roll call vote, all voted aye. Motion adopted.

#2012-101 – Consideration of Economic Development Incentive Agreement with Medbery Fabrication LLC. City Administrator Mary Lou Brown reported that an application had been made by Medbery Fabrication for a \$76,000 forgivable LB 840 loan. Explained were the terms of the contract and changes in the process. Ed Medbery, 3230 No. North Road commented on CNH being his only customer and was in the process to branch out with other products.

Motion by Carney, second by Haase to approve Resolution #2012-101. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Carney to approve the Claims for the period of March 27, 2012 through April 10, 2012, for a total amount of \$2,698,996.64. Unanimously approved.

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

RaNae Edwards
City Clerk