



City of Grand Island

Tuesday, May 8, 2012

Council Session

Item G1

Approving Minutes of April 24, 2012 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
April 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 April 24, 2012. Notice of the meeting was given in *The Grand Island Independent* on April 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, 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 Pastor Scott Friesen, Berean Bible Church, 4116 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council members Jessica Wiens and Jordyn Barnett.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Workzone Awareness Week" April 23-27, 2012. Mayor Vavricek proclaimed the week of April 23-27, 2012 as "Workzone Awareness Week". Utilities employee Don Jelinek and Public Works employees Mike Wagner, Cory Reiss, and Mike Davis were present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street for an Addition of a Sidewalk Café to Class "I-86925" Liquor License. City Clerk RaNae Edwards reported that an application for an addition of a sidewalk café to Class "I-86925" Liquor License had been received from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 6, 2012; notice to the general public of date, time, and place of hearing published on April 14, 2012; notice to the applicant of date, time, and place of hearing mailed on April 6, 2012; along with Chapter 4 of the City Code. Staff recommended approval. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on Blight and Substandard Study Area No. 9. Regional Planning Director Chad Nability reported that Gordman Grand Island LLC had commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 9. The study focused on property bounded by Capital Avenue on the north, Webb Road on the east, State Street to the south and U.S. Highway 281 on the west in northwest Grand Island. The report submitted by Marvin Planning Consultants of David City, Nebraska was reviewed. Staff recommended approval. Ron Depue,

308 North Locust Street and Kelly Rafferty, St. Libory spoke in support. No further 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:

#9378 – Consideration of Amending to Chapter 18 of the Grand Island City Code to Adopt the 2009 Uniform Mechanical Code

#9379 – Consideration of Amending Chapter 26 of the Grand Island City Code to Adopt the 2009 Uniform Plumbing Code

#9380 – Consideration of Vacation of a Portion of Ebony Lane in Sterling Estates Subdivision (Niedfelt Property Management Preferred LLC & Starostka Rentals LLC)

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

Building Department Director Craig Lewis reported that Ordinances #9378 and #9379 would update the City Code from the current 2006 laws.

Motion by Ramsey, second by Donaldson to approve Ordinances #9378 and #9379.

City Clerk: Ordinances #9378 and #9379 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 #9378 and #9379 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 #9378 and #9379 are declared to be lawfully adopted upon publication as required by law.

#9380 – Consideration of Vacation of a Portion of Ebony Lane in Sterling Estates Subdivision (Niedfelt Property Management Preferred LLC & Starostka Rentals LLC)

Public Works Director John Collins reported that Niedfelt Property Management Preferred LLC owned 3778 Norseman Avenue and Starostka Rentals LLC owned 3779 Norseman Avenue. They requested to vacate the easterly two feet of street right-of-way abutting each lot on Ebony Lane to allow the proper lot size for proposed structures.

Motion by Haase, second by Dugan to approve Ordinance #9380.

City Clerk: Ordinance #9380 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 #9380 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 #9380 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-11 and G-12 were pulled for further discussion. Motion by Ramsey, second by Donaldson to approve the Consent Agenda excluding items G-11 and G-12. Upon roll call vote, all voted aye. Motion adopted.

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

Receipt of Official Documents – Pawnbroker’s Official Bonds for G.I. Loan Shop, 1004 West 2nd Street and Payday Express, 645 South Locust Street.

#2012-102 – Approving Contract to Reserve Firm Electric Service from the Western Area Power Administration through December 31, 2020.

#2012-103 – Approving Bid Award for Well Field Control System Upgrade with Huffman Engineering, Inc. of Lincoln, Nebraska in an Amount of \$145,935.00.

#2012-104 – Approving Engineers Certificate of Final Completion for Building Concrete for Sludge Storage Building, Project No. 2011-WWTP-4 with L & L Concrete & Construction, Inc. of Grand Island, Nebraska.

#2012-105 – Approving Award of Proposal for Consulting Services for Geospatial data Collection of Grand Island’s Public Stormwater Conveyance System with JEO Consulting Services, Inc. of Grand Island, Nebraska in an Amount of \$44,329.00.

#2012-106 – Approving Supplemental Agreement No. 1 with NDOR and Olsson Associates for Engineering Consulting Services Related to 3rd Street & Wheeler Avenue Historical Lighting Improvements.

#2012-107 – Approving Contract Amount Correction to Resolution #2011-245; Bid Award to Midlands Contracting, Inc. of Kearney, NE for 2011-MH Rehab-1 Sanitary Sewer Manhole Rehabilitation for a corrected amount of \$153,269.00.

#2012-108 – Approving Amending the CANDO Inter-local Agreement.

#2012-109 – Approving Contract for Concession Stand Operations at the Veteran’s Athletic Field Complex with Rathjen & Son Enterprises, Inc. dba The Snow of Grand Island, Nebraska.

#2012-112 – Approving Award of Proposal for Engineering Services Related to Emission Rate Testing at the Solid Waste Landfill with G.N. Kuhn Engineering, LLC of Omaha, Nebraska in an amount not-to-exceed \$15,950.00.

#2012-110 – Approving Lease Agreement for the Ashton Street Ball Field with the Grand Island Riverdogs for five years and one additional five year renewal option. Parks and Recreation

Director Steve Paustian reported that Request for Proposals were issued and one proposal was received from Grand Island Riverdogs.

Discussion was held regarding the City being named as an additional insured on the insurance certificate. Mentioned was the lease required the City to be named on the insurance. Comments were made regarding selling property instead of leasing, policies and practices of leasing public property.

Motion by Carney, second by Haase to approve Resolution #2012-110. Upon roll call vote, all voted aye. Motion adopted.

#2012-111 – Approving Amendment No. 1 to the Agreement for Professional Engineering Services entitled “Wastewater Treatment Plant and Collection System Rehabilitation” with Black & Veatch of Kansas City, Missouri not-to-exceed \$1,910,075.00 and a revised contract amount of \$3,031,235.00. Public Works Director John Collins gave a PowerPoint presentation explaining Amendment No. 1.

Discussion was held regarding the amendment costing more than the original proposal. Mr. Collins explained the differences between bids, RFP’s and RFQ’s and reasons why the amendment was an additional \$1.9 million. City Attorney Bob Sivick stated the amendment was within the purchasing scope of the project. A comment was made that this issue should not have been on the Consent Agenda.

Motion by Gilbert, second by Dugan to approve Resolution #2012-111. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2012-113 – Consideration of Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street for an Addition of a Sidewalk Café to Class “I-86925” Liquor License This item related to the aforementioned Public Hearing.

Motion by Donaldson, second by Minton to approve Resolution #2012-113. Upon roll call vote, all voted aye. Motion adopted.

#2012-114 – Consideration of Blight and Substandard Study Area No. 9. This item related to the aforementioned Public Hearing. Discussion was held regarding new property in this area and if it would affect their property value. Mr. Nabity stated it would not.

Motion by Haase, second by Carney to approve Resolution #2012-114. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gericke to approve the Claims for the period of April 11, 2012 through April 24, 2012, for a total amount of \$3,745,546.54. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Dugan to adjourn to Executive Session at 8:00 p.m. for the purpose of a strategy session with respect to collective bargaining (IBEW Local 1597 – Wastewater, Service/Clerical, Finance, Utilities). Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Haase, second by Niemann to return to Regular Session at 9:30 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:30 p.m.

RaNae Edwards
City Clerk