



# **City of Grand Island**

**Tuesday, July 24, 2012**

**Council Session**

## **Item G2**

### **Approving Minutes of July 10, 2012 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
July 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 July 10, 2012. Notice of the meeting was given in *The Grand Island Independent* on July 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, and John Gericke. Councilmember Vaughn Minton was absent. The following City Officials were present: City Clerk RaNae Edwards, City Attorney Robert Sivick, Public Works Director John Collins and Finance Director Jaye Monter.

INVOCATION was given by Pastor Bob Rhodes, Trinity United Methodist Church, 511 North Elm Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek recused himself due to a conflict of interest on Items E-1 and G-2. Council President Gilbert conducted the meeting.

Council President Gilbert introduced Community Youth Council member Ashley Bykerk.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located at 2533 Old Potash Hwy. (Charter Communications). Utilities Director Tim Luchsinger reported that acquisition of an easement located at 2533 Old Potash Hwy. was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of locating underground conduit, cable, and a three phase pad-mounted transformer to serve the new load for Charter Communications. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2103 Pioneer Blvd. (James F. Crisel). Utilities Director Tim Luchsinger reported that acquisition of an easement located at 2103 Pioneer Blvd. was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of locating underground cable, conduit and a pad-mounted transformer closer to the increased load. 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:

#9390 – Consideration of Amending Chapter 2 of the Grand Island City Code to Require City Council Approval of Future Hires of Certain Department Directors

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.

#9390 – Consideration of Amending Chapter 2 of the Grand Island City Code to Require City Council Approval of Future Hires of Certain Department Directors

City Attorney Robert Sivick reported that at the June 26, 2012 Council meeting Ordinance #9389 was approved requiring Council approval of future Police and Fire Chiefs hired by the Mayor. A motion to amend Ordinance was offered which would have required additional Department Directors be hired with Council approval. The motion was withdrawn due to concerns regarding the Nebraska Open Meetings Act requiring sufficient notice to the public. This ordinance did not include the Regional Planning Director, Emergency Management Director, and the Library Director because they were subject to the authority of public bodies other than the Council.

Lewis Kent, 624 Meves Avenue requested Council to approve all Department Director’s positions.

Discussion was held regarding the three positions not included in Ordinance #9390. Mr. Sivick explained the Regional Planning Director and Emergency Management Director’s position were tied with Hall County through an Interlocal and the Library Director was appointed by the Library Board as required by state statutes. They City pays for all three positions. Concerns were made regarding delays in hiring.

Motion by Carney, second by Haase to approve Ordinance #9390.

City Clerk: Ordinance #9390 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, Ramsey, Gilbert, Nickerson, Dugan, and Gericke voted aye. Councilmember Donaldson voted no. Motion adopted.

City Clerk: Ordinance #9390 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 Haase, Carney, Niemann, Ramsey, Gilbert, Nickerson, Dugan, and Gericke voted aye. Councilmember Donaldson voted no. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9390 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Agenda items G-2 and G-8 were pulled for further discussion. Motion by Ramsey, second by Carney to approve the Consent Agenda excluding items G-2 and G-8. Upon roll call vote, all voted aye. Motion adopted.

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

#2012-173 – Approving Acquisition of Utility easement located at 2103 Pioneer Blvd. (James F. Crisel).

#2012-174 – Approving Bid Award for Chimney Repairs at Platte Generation Station with NAES Power Contractors of Cranberry Township, PA in an Amount of \$59,994.00.

#2012-175 – Approving Bid Award for Fire Protection Upgrade at Platte Generating Station with Nebraska Fire Sprinkler of Alda, NE in an Amount of \$68,900.00.

#2012-176 – Approving Change Order #1 for Uranium Removal Water Treatment Plant Equipment Installation & Pump Modifications with Judds Brothers of Lincoln, NE for an Increase of \$1,567.86 and a Revised Contract Amount of \$310,817.86.

#2012-177 – Approving Change Order #1 for Uranium Removal System Equipment at the Uranium Removal Water Treatment Plant with Water Remediation Technologies of Wheat Ridge, CO for a Decrease of \$1,315.86 and a Revised Contract Amount of \$1,956,784.14.

#2012-179 – Approving Crossing Surface Installation Agreement with Burlington Northern Santa Fe (BNSF) Railway Company for Improvements at the Broadwell Avenue/BNSF Railroad Crossing in an Amount Estimated at \$31,572.00.

#2012-180 – Approving Increase to the City’s Share of the US Highway 30 Improvements with NDOR Project No. STP-NH 30-4(157) for a Total Amount of \$571,423.60.

#2012-172 – Approving Acquisition of Utility Easement Located at 2533 Old Potash Hwy. (Charter Communications). This item related to the aforementioned Public Hearing.

Motion by Carney, second by Dugan to approve Resolution #2012-172. Upon roll call vote, all voted aye. Motion adopted.

#2012-178 – Approving Request for Relaxation of Design Standards for Minimum Shoulder Width on Streets without Curb and Gutter for the Grand Island Resurfacing – Various Locations Project. Public Works Director John Collins reported that relaxation of Design Standards for Minimum Shoulder width on Streets without curb and gutter were needed on sections of Independence Road, South Blaine Street and North Road which did not currently have sufficient right of way to construct wider shoulders due to ditch and utility conflicts.

Councilmember Gericke raised concerns of allowing narrow streets within the city.

Motion by Carney, second by Gericke to approve Resolution #2012-178. Upon roll call vote, Councilmember’s Carney, Niemann, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

Mayor Vavricek returned to conduct the meeting.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of June 27, 2012 through July 10, 2012, for a total amount of \$4,345,834.28. Unanimously approved.

Motion by Gilbert, second by Dugan to remove item X-2 – Strategy Session with Respect to Pending Litigation from the agenda. Upon roll call vote, all voted aye. Motion adopted.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Ramsey to adjourn to Executive Session at 7:30 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 Gilbert, second by Ramsey to return to Regular Session at 8:07 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:07 p.m.

RaNae Edwards  
City Clerk