



City of Grand Island

Tuesday, September 11, 2012

Council Session

Item G1

Approving Minutes of August 28, 2012 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
August 28, 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 August 28, 2012. Notice of the meeting was given in *The Grand Island Independent* on August 22, 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, Interim Public Works Director Terry Brown and Finance Director Jaye Monter.

INVOCATION was given by Pastor Scott Taylor, First Christian Church, 2400 West 14th Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Juana Paramo.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Terri Svoboda, Human Resources Specialist for 25 Years of Service with the City of Grand Island. Mayor Vavricek and the City Council recognized Terri Svoboda, Human Resources Specialist for 25 years of service with the City of Grand Island. Ms. Svoboda was present for the recognition.

Proclamation "Train Town USA" from the Union Pacific Railroad, August 30, 2012. Mayor Vavricek proclaimed August 30, 2012 as "Train Town USA". Brenda Mainwaring representing the UPRR was present to receive the Proclamation and commented on the 150th Anniversary of the UPRR. Presented to the City of Grand Island as a "Train Town" were a plaque, certificate, and a commemorative coin.

Presentation of the "Mayor's Builder Award" to Monte Hehnke. Mayor Vavricek presented the first "Mayor's Builder Award" to Monte Hehnke for his efforts with youth and baseball, the redevelopment of the Pier Baseball field, and the addition of heating at a facility at the State Fair/Fonner Park. Mr. Hehnke and his family were present to receive the award.

PUBLIC HEARINGS:

Public Hearing on Request to Rezone Property Located South of Capital Avenue Immediately West of the Moore's Creek Drainway from RO – Residential Office to RD – Residential Development. Regional Planning Director Chad Nabity reported that an application had been made to rezone 13.79 acres south of Capital Avenue and west of the Moore's Creek Drainway from RO Residential Office to RD Residential Development. The developers were proposing to building ten, 30 unit three story apartment buildings with a clubhouse and pool area. Staff recommended approval. No public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan Area 6 Located at 125 North Carey Street. Regional Planning Director Chad Nabity reported that Token Properties LLC, developer had submitted a proposed amendment to the redevelopment plan that would provide for site acquisition, demolition, clearance and extension of utilities and subsequent construction of two duplexes at 125 and 131 Carey Street. Staff recommended approval. No public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan Area 9 Located at 2300 North Webb Road. Regional Planning Director Chad Nabity reported that the developer intended to use Tax Increment Financing to aid in renovation of the existing retail space at the corner of U.S. Highway 281 and Capital Avenue at 2300 North Webb Road. Staff recommended approval. Bruce Schreiner, 2535 N. Carlton spoke in support. No further public testimony was heard.

Public Hearing on Budget Amendment and Contract Extension to CDBG Grant #10-CR-002 – Phase II Comprehensive Revitalization Strategy Grant. Community Development Administrator Marco Floreani reported that the City was seeking a contract extension and budget amendment for activities under the CDBG Community Revitalization 10-CR-002 Phase II grant due to the project changed in nature and scope. City staff recommended that the project be shifted from owner-occupied rehab to public infrastructure and that the funds be used to pay for a portion of a sewer main project along 4th and 5th Street from Eddy to Vine Street. Staff recommended approval. No public testimony was heard.

Public Hearing on Application of CDBG Grant #11-CR-002 – Phase III Comprehensive Revitalization Grant. Community Development Administrator Marco Floreani reported that the City was requesting a Phase III Comprehensive Revitalization Strategy Grant in the amount of \$270,010 to be used for an 18” storm sewer main rehab project along 4th and 5th Street from Eddy Street to Vine Street. Staff recommended approval. No public testimony was heard.

Public Hearing on Budget Amendment to CDBG Grant #08-DPI-005 – Disaster Recovery Funding. Community Development Administrator Marco Floreani reported that the Nebraska Department of Economic Development had notified the City of additional funds for Disaster Recovery Funding. This additional funding would provide administrative costs and help fund the development of an additional gravity collection sewer infrastructure preventive maintenance construction projects. Staff recommended approval. No public testimony was heard.

Public Hearing on Proposed FY 2012-2013 Community Redevelopment authority (CRA) and City of Grand Island Budget (Continued). Finance Director Jaye Monter reported that at the August 21, 2012 Special Meeting, the Council voted to fully fund the \$760,096 Grand Island Police Department’s 2013 budget request by reducing the General Fund Capital Equipment in the Fire and Ambulance Department by \$372,500 and to retire the Wood River Control Bonds which would allow approximately \$275,000 of property tax mill levy dollars to be used towards additional funding. The continuation of the public hearing would allow Council to consider the proposed funding for the remaining \$112,596 for the Police Department and review options for the Golf Course Enterprise Fund. No public testimony was heard.

RESOLUTION:

#2012-237 – Consideration Approving MOU Regarding a Fence along the UPRR Right of Way. City Attorney Robert Sivick reported that the UPRR had agreed to erect a fence on its right of way in downtown Grand Island. The City will maintain the fence. Discussion was held regarding the aesthetics of the fence and why the UPRR did not use a solid fence. Brenda Mainwaring representing the UPRR explained the phases of this project and stated noise reduction fences were used close to interstates and manufacturing areas.

Motion by Gilbert, second by Nickerson to approve Resolution #2012-237. Upon roll call vote, all voted aye. Motion adopted.

#2012-234 – Consideration of Approving Contracts with IBEW Local 1597 – Wastewater, Service/Clerical, Finance, and Utilities. Human Resources Director Brenda Sutherland reported that four labor agreements with the IBEW – Finance, Utilities, Wastewater Treatment Plant and Service/Clerical groups had been negotiated through September 30, 2014. The agreements specified a 2% wage increase for all positions in October 2012 and a 2.75% wage increase in October 2013.

Motion by Ramsey, second by Gericke to approve Resolution #2012-234. Upon roll call vote, all voted aye. Motion adopted.

Dan Quick, President of the IBEW was present to sign the contracts along with Mayor Vavricek.

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:

- #9394 – Consideration of Request to Rezone Property Located South of Capital Avenue Immediately West of the Moore’s Creek Drainway from RO – Residential Office to RD – Residential Development
- #9395 – Consideration of Creating South Locust Business Improvement District 2012
- #9396 – Consideration of Approving 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 Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

- #9394 – Consideration of Request to Rezone Property Located South of Capital Avenue Immediately West of the Moore’s Creek Drainway from RO – Residential Office to RD – Residential Development

Motion by Gilbert, second by Haase to approve Ordinance #9394.

Discussion was held regarding driveways for this project onto Capital Avenue, the Moores Creek drainway, and Capital Avenue traffic. Mr. Nabity stated two driveways would be built onto Capital Avenue with the first phase of the project. These would accommodate the need for emergency vehicles. Interim Public Works Director Terry Brown commented on Capital Avenue widening being a Federal Aid Project. Matt Rief representing Olsson Associates commented on the drainage for this project. Mentioned was that the speed limit be lowered in the future on Capital Avenue.

City Clerk: Ordinance #9394 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 #9394 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 #9394 is declared to be lawfully adopted upon publication as required by law.

#9395 – Consideration of Creating South Locust Business Improvement District 2012

Community Development Administrator Marco Floreani reported that Ordinance #9395 would create the South Locust Business Improvement District 2012 for one year with assessments of \$34,450.

Motion by Donaldson, second by Dugan to approve Ordinance #9395.

City Clerk: Ordinance #9395 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 #9395 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 #9395 is declared to be lawfully adopted upon publication as required by law.

#9396 – Consideration of Approving Salary Ordinance

Human Resources Director Brenda Sutherland reported that Ordinance #9396 was part of the budget process setting wages for City employees for FY 2012-2013.

Motion by Dugan, second by Minton to approve.

Ms. Sutherland stated this did not cover the IAFF.

Motion by Haase, second by Gericke to amend the motion to remove any wage increase for the City Administrator's position and leave it as it is.

Ms. Sutherland stated by not raising the City Administrator's salary range the Utilities Department Director's salary would be higher. Discussion was held with regards to future City

Administrator's negotiations regarding salary and that Council could amend the salary ordinance at a later date. Comments were made by Council that a new City Administrator would probably not be hired at the top of the range.

Upon roll call vote, Councilmember's Haase, Carney, Niemann, Ramsey, Gilbert, Donaldson, Dugan, Minton, and Gericke voted aye. Councilmember Nickerson voted no. Motion adopted.

City Clerk: Ordinance #9396 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 aye. Motion adopted.

City Clerk: Ordinance #9396 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 #9396 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of August 14, 2012 City Council Regular Meeting.

Approving Minutes of August 21, 2012 City Council Special Meeting.

#2012-221 – Approving Preliminary Plat, Final Plat and Subdivision Agreement for Sterling Estates Second Subdivision. It was noted that Residences at Sterling Estates, LLC, owner, had submitted the preliminary plat, final plat and subdivision agreement for Sterling Estates Second Subdivision located south of Capital Avenue and west of US Highway 281 for the purpose of creating 2 lots containing 13.79 acres.

#2012-222 – Approving Bid Award for Coal Transfer #4 Transfer Point Upgrade at Platte Generating Station with Martin Engineering of Neponset, IL in an Amount of \$127,721.62.

#2012-223 – Approving Bid Award for Root Foaming Chemical for Sewer Infrastructure within the Public Works Department with Douglas Products of Liberty, MO in an Amount of \$25,000.00.

#2012-224 – Approving Bid Award for Lift Station No. 7 Improvements Project No. 2011-S-1A for the City of Grand Island with The Diamond Engineering Company of Grand Island, NE in an Amount of \$479,558.95.

#2012-225 – Approving Agreement for Appraisal Services for the State Street and Capital Avenue Connector Trail Project with Midwest Right of Way Services, Inc. in an Amount of \$3,380.00.

#2012-226 – Approving Change Order No. 2 for Asphalt Resurfacing Project 2012-AC-1 with Gary Smith Construction Co., Inc. of Grand Island, NE for an increase of \$1,950.00 and a revised Contract Amount of \$299,864.40.

#2012-227 – Approving Certificate of Final Completion for the 2012 Chip Seal Project No. 2012-CS-1 with Sta-Bilt Construction Company of Harlan, IA.

#2012-228 – Approving Contractor’s Retainage Release for the Aeration Basin Improvements at the Wastewater Treatment Plant with Oakview dck, LLC of Red Oak, IA.

#2012-229 – Approving Amendment No. 2 to the Agreement for Professional Engineering Services entitled “Wastewater Treatment Plant and Collection System Rehabilitation” with Black & Veatch of Kansas City, MO in an Amount of \$53,000.00 and a Revised Contract Amount of \$3,084,235.00.

#2012-230 – Approving Budget Amendment to CDBG Grant #10-CR-002 – Phase II Comprehensive Revitalization Strategy Grant. This item related to the aforementioned Public Hearing. Discussion was held regarding having more activity for owner occupied rehabilitation. Mr. Floreani stated these projects were based on timing.

Motion by Nickerson, second by Donaldson to approve Resolution #2012-230. Upon roll call vote, all voted aye. Motion adopted.

#2012-231 – Approving Application of CDBG Grant #11-CR-002 – Phase III Comprehensive Revitalization Grant.

#2012-232 – Approving Amendment to CDBG Grant #08-DPI-005 – Disaster Recovery Funding.

#2012-233 – Approving Redemption of the Wood River Flood Control Bonds.

RESOLUTIONS:

#2012-235 – Consideration of Amendment to the Redevelopment Plan Area 6 Located at 125 North Carey Street. This item related to the aforementioned Public Hearing.

Motion by Carney, second by Minton to approve Resolution #2012-235. Upon roll call vote, all voted aye. Motion adopted.

#2012-236 – Consideration of Amendment to the Redevelopment Plan Area 9 Located at 2300 North Webb Road. This item related to the aforementioned Public Hearing. Comments were made regarding parking expansion, lighting, and facing west toward Highway 281 and east towards Webb Road. Bruce Schreiner, 2535 N. Carleton explained the parking lot expansion, lighting, and drainage.

Motion by Ramsey, second by Niemann to approve Resolution #2012-236. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Niemann to approve the Claims for the period of August 15, 2012 through August 28, 2012, for a total amount of \$5,585,542.44. Unanimously approved.

OTHER ITEMS:

Review of Proposed FY 2012/2013 City Single Budget and Community Redevelopment Authority (CRA) Budget (Continued). This item related to the aforementioned Public Hearing.

Lewis Kent, 624 Meves Avenue spoke in support of funding the Grand Generation Center. Mike Paulick, 307 East 20th Street spoke in support of funding the Golf Course irrigation system.

Golf Course Discussion - Ms. Monter clarified that the Golf Course expenditures would not take place until the 2014 budget due to timing of bids and installation after the 2013 golf season. Capital maintenance fee was mentioned along with golfing fees.

Interim Parks and Recreation Director Todd McCoy commented on the difference between the General Fund and an Enterprise Fund. Comments were made by Council to keep the Golf Course as an Enterprise Fund.

Ms. Sutherland stated the difference between a contract employee and a City employee was the amount of control you had over that person. Don Kruse, Golf Professional at Jackrabbit Run Golf Course commented on the updates needed at the clubhouse. Mr. McCoy stated he had been working with the Gold Course Maintenance Superintendent to formulate a plan to update the clubhouse.

Ambulance Billing and Collection Discussion - a lengthy discussion was held concerning the ambulance billing and collections. Mentioned was historically the City subsidized the low/no income and the elderly. Ms. Monter commented on the process of the bid opening for outsourcing the ambulance billing/collections and the need to keep the full time employee in that position or other areas in the Finance Department.

Motion by Haase, second by Gericke to reduce one FTE in the Finance Department. Upon roll call vote, Councilmember's Haase and Niemann voted aye. Councilmember's Carney, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, Minton, and Gericke voted no. Motion failed.

Library Discussion – Library Director Steve Fosselman stated the public would not see any difference in service with the changes proposed of using part-time instead of full time. Comments were made regarding the Library Board setting goals and the Library Director implementing those goals.

Ms. Monter stated that at the next regular City Council meeting of September 11, 2012 the Council would need to finalize the budget or have a special meeting before the budget was due to the state on September 20, 2012.

Grand Generation Center Discussion – comments were made concerning the August 30, 2012 meeting with three County Supervisors, three City Councilmembers and representatives from the

Grand Generation Center regarding the Grand Generation Center funding. Ms. Monter stated that if the Council decided to change the amount (\$100,000.00) currently in the budget for the Grand Generation Center, she would have time to make those changes after the September 11, 2012 meeting.

Motion by Gilbert, second by Ramsey to reconsider the motion from the August 21, 2012 Special meeting "to postpone the vote on the Grand Generation Center funding until after the City/County meeting occurred. Upon roll call vote, Councilmember's Haase, Ramsey, Gilbert, Donaldson, and Dugan voted aye. Councilmember's Carney, Niemann, Nickerson, Minton, and Gericke voted no. Mayor Vavricek chose not to cast the deciding vote. Motion failed.

ADJOURNMENT: The meeting was adjourned at 10:05 p.m.

RaNae Edwards
City Clerk