



City of Grand Island

Tuesday, December 4, 2012

Council Session

Item -1

Approving Minutes of November 27, 2012 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

November 27, 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 November 27, 2012. Notice of the meeting was given in *The Grand Island Independent* on November 21, 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 Father Todd Philipsen, Blessed Sacrament Catholic Church, 518 West State Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Emma Kreutzer.

PRESENTATIONS AND PROCLAMATIONS:

Presentation of the “Mayor’s Builder Award” – Third City Community Clinic Dr. Sara Graybill, 2012 Physician Volunteer of the Year and Dr. Timothy Jacobs, 2012 Dentist Volunteer of the Year. Mayor Vavricek presented the “Mayor’s Builder Award” to Third City Community Clinic Dr. Sara Graybill 2012 Physician of the Year and Dr. Timothy Jacobs, 2012 Dentist Volunteer of the Year. Dr. Graybill, Mrs. Jacobs on behalf of Dr. Timothy Jacobs and his son Luke were present for the recognition. Also present and recognized was Susan Aguilar.

Recognition of Grand Island Central Catholic Girls Volleyball Team for Class C-1 State Qualifiers. The Mayor and City Council recognized the Grand Island Central Catholic Girls Volleyball Team and Coach Sharon Zavala for qualifying for State in Class C-1. Six girls from the team were present.

Recognition of Grand Island Northwest Girls Volleyball Team for Class “B” State Championship. The Mayor and City Council recognized the Grand Island Northwest Girls Volleyball Team and Coach Diane Rouzee for the Class “B” State Championship. Thirteen girls from the team were present along with Coach Rouzee and staff.

Recognition of State Volleyball Tournament Recruitment Success to Grand Island. The Mayor and City Council recognized the efforts of Cindy Wells; Orv Qualsett; Convention Visitors Bureau; Sports Council; Heartland Events Center; Fonner Park, Nebraska School Activities Association; Northwest High School; Central Catholic High School; and Grand Island Senior High School for their successful efforts in recruiting the State Volleyball Tournaments for Grand Island. Present were Cindy Wells, Liz Gerberding, Dianne Willey, and Howard Schumann.

PUBLIC HEARINGS:

Public Hearing on Request from Douglas & Mikaela Westerby on behalf of William Gulzow for a Conditional Use Permit for a Car Dealership Located at 233 East 2nd Street. Building Department Director Craig Lewis reported that Douglas & Mikaela Westerby on behalf of William Gulzow had applied for a Conditional Use Permit for the operation of an outdoor sales lot for new and used motor vehicles at 223 East 2nd Street. Staff recommended approval with conditions in City Code Section 36-105 along with removal of any encroachments in the right of way. Douglas & Mikaela Westerby, 3620 Catfish Avenue and William Gulzow, 2312 Viking Court spoke in support. No further public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan Area 10 Located at 809-811 South Kimball Street. Regional Planning Director Chad Nabity reported that Token Properties LLC, developer, had submitted a proposed site specific redevelopment plan that would provide for site acquisition, clearance and extension of utilities and subsequent construction of a duplex at 809 and 811 Kimball Avenue. 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:

#9410 - Consideration of City Council’s Approval of All Individual City Negotiators

#9411 - Consideration of Amending Section 2-21 of the Grand Island City Code Regarding Compensation for Elected Officials (Council)

#9412 - Consideration of Amending Section 2-18 of the Grand Island City Code Regarding Compensation for Elected Officials (Mayor)

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.

#9410 - Consideration of City Council’s Approval of All Individual City Negotiators

Councilmember Larry Carney stated he brought this forward because he thought it to be in the City’s best interest. Mentioned was that the negotiation team speaks for the Council with no input or approval from Council.

Margaret Hornady, 2708 Arrowhead Road spoke in opposition.

Motion by Carney, second by Haase to approve Ordinance #9410.

A lengthy discussion followed. Clarified was that this ordinance would not allow Councilmembers to sit in on negotiations or select the negotiation team, but would allow the Council to approve the negotiation team and strategies. Comments were made that the Council had the final decision on all contracts and if it wasn’t broken, don’t fix it.

Human Resources Director Brenda Sutherland commented on the process of negotiations, sharing information with the council during executive sessions, the make-up of the negotiation team, and the cost of an outside negotiator.

City Clerk: Ordinance #9410 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Haase, Carney, Niemann, Donaldson, Dugan, and Gericke voted aye. Councilmembers Ramsey, Gilbert, Nickerson, and Minton voted no. Motion adopted.

City Clerk: Ordinance #9410 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Haase, Carney, Niemann, Donaldson, Dugan, and Gericke voted aye. Councilmembers Ramsey, Gilbert, Nickerson, and Minton voted no. Motion adopted.

Mayor Vavricek stated he was not in support of this ordinance. All union contracts in the past years had been approved and felt the current process wasn't broken. Mayor then vetoed the vote.

Motion by Carney, second by Gericke to override the veto. Upon roll call vote, Councilmembers Haase, Carney, Niemann, Donaldson, Dugan, and Gericke voted aye. Councilmembers Ramsey, Gilbert, Nickerson, and Minton voted no. Motion failed.

#9411 - Consideration of Amending Section 2-21 of the Grand Island City Code Regarding Compensation for Elected Officials (Council)

City Attorney Robert Sivick reported that this was similar to the Ordinance brought forward two weeks ago. The compensation for Council would increase from \$6,000 to \$9,000 to be effective December 4, 2012.

Margaret Hornady, 2708 Arrowhead Road stated Council did need a raise but had concerns regarding the budget. Mentioned was that this be reviewed more often than every ten years.

Motion by Gericke, second by Carney to approve Ordinance #9411. Discussion was held regarding other cities' salaries and benefits.

Motion by Niemann, second by Gericke to amend the motion to add that a review of salary increases for the Council be done every two years.

Motion by Nickerson, second by Minton to amend the motion to change the annual amount from \$9,000 to \$7,200. Finance Director Jaye Monter stated the money would come from the non-department line item. Upon roll call vote, Councilmembers Haase, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, and Minton voted aye. Councilmembers Carney, Niemann and Gericke voted no. Motion adopted.

Upon roll call vote to amend the motion to add that a review of salary increases for the Council be done every two years, Councilmembers Haase, Carney, Niemann, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, and Gericke voted aye. Councilmember Minton voted no. Motion adopted.

City Clerk: Ordinance #9411 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 #9411 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 #9411 is declared to be lawfully adopted upon publication as required by law.

#9412 - Consideration of Amending Section 2-18 of the Grand Island City Code Regarding Compensation for Elected Officials (Mayor)

Councilmember John Gericke stated this Ordinance would raise the Mayor's salary from \$13,000 to \$16,000 per year beginning 2014.

Motion by Gericke, second by Niemann to approve Ordinance #9412.

Motion by Gericke to amend the annual compensation from \$16,000 to \$14,200. Motion died due to lack of a second.

Motion by Dugan, second by Niemann to amend the motion and add a review of this salary during the budget of the fiscal year prior to the General Election. Upon roll call vote, Councilmembers Haase, Carney, Niemann, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, and Minton voted aye. Councilmember Gericke voted no. Motion adopted.

City Clerk: Ordinance #9412 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 #9412 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 #9412 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of November 13, 2012 City Council Regular Meeting.

Approving Re-Appointment of Jolene Wojcik to the Grand Island Facilities Corporation Board.

Approving Liquor Manager Designation for Sage Rath, 2539 Del Monte Avenue for Ruby Tuesday, 3429 West 13th Street.

#2012-340 – Approving Bid for Four (4) Outdoor Warning Sirens with Federal Signal Corporation of University Park, IL in an amount of \$54,476.00.

#2012-341 – Approving Increase to the Bid Award to Rinker Materials for the Southwest Outfall Drainage Pipe; Drainage Project NO. 2011-D-1 in an Amount of \$208,403.88.

REQUESTS AND REFERRALS:

Consideration of Request from Douglas & Mikaela Westerby on behalf of William Gulzow for a Conditional Use Permit for a Car Dealership Located at 223 East 2nd Street. This item related to the aforementioned Public Hearing.

Motion by Donaldson, second by Minton to approve the request with conditions. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2012-342 – Approving Revised Fiscal Year Budget Authority for the North Interceptor – Phase 1 Improvements; Project 2012-S-6. Interim Public Works Director Terry Brown reported that the North Interceptor project consisted of multiple phases budgeted over multiple years. Black and Veatch recommended the City consolidate Phase 1A and Phase 1B, (\$5,136,035) budgeted over FY 2013 and FY 2014 into FY 2031 to save money. He answered questions stating there would be no effect on rate payers and the money would be borrowed. Finance Director Jaye Monter explained the Capital Budget for WWTP and budget authority vs. actual expense.

Motion by Haase, second by Niemann to approve Resolution #2012-342. Upon roll call vote, all voted aye. Motion adopted.

#2012-343 – Approving Amendment to the Redevelopment Plan Area 10 Located at 809-811 South Kimball Street. This item related to the aforementioned Public Hearing item.

Motion by Gilbert, second by Donaldson to approve Resolution #2012-343. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of November 14, 2012 through November 27, 2012, for a total amount of \$5,084,367.62. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:20 p.m.

RaNae Edwards
City Clerk