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# City of Grand Island

## Item G2

### **Approving Minutes of November 20, 2001 City Council Regular Meeting**

*The Minutes of the November 20, 2001 City Council Regular Meeting are submitted for approval. See attached MINUTES.*



**Tuesday, December 04, 2001**

**Council Session**

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL REGULAR MEETING

November 20, 2001

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 20, 2001. Notice of the meeting was given in the Grand Island Independent on November 14, 2001.

Mayor Ken Gnadt called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Pielstick, Ward, Seifert, Larson, Hornady, Whitesides, Haase, Murray, Walker and Sorensen. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Finance Director David Springer, Public Works Director Steve Riehle and City Attorney Charlie Cuypers.

PLEDGE OF ALLEGIANCE was said followed by INVOCATION given by Lee Casey, Director of Pastorial Services at St. Francis Medical Center.

#### PRESENTATIONS AND PROCLAMATIONS:

Recognition of Andrea Dunagan, Class "A" State Girls Golf Individual Championship Title. The Mayor and City Council recognized Andrea Dunagan, Senior High School student, for receiving the Individual Championship Title in the Class "A" State Girls Golf Meet held here in Grand Island. Andrea is the daughter of Dr. Tim and Cheryl Dunagan. Senior High Girls Golf coach is Kevin Bartlett.

Recognition of Crystal Grantham for National and State Awards Received for 2001 Volunteer of the Year. The Mayor and City Council recognized Crystal Grantham for receiving both National and State Awards for the 2001 Volunteer of the Year Program. Crystal had volunteered over 1,280 hours at the Grand Island Veterans Home, starting when she was 12 years old.

Recognition of the Son's of the American Legion Squadron 53 for Receiving the State Group Award for 2001 Volunteer of the Year. The Mayor and City Council recognized the Son's of the American Legion Squadron 53 for receiving the State Group Award for 2001 Volunteers of the Year. Fifteen active volunteers enjoy assisting at the Grand Island Veterans Home during the year to help with activities and events.

#### PUBLIC HEARINGS:

Public Hearing on Request of Nathan Detroit's, Inc. dba Nathan Detroit's, 316 North Pine Street, for Addition to Premise to Liquor License "C-31274". RaNae Edwards, City Clerk, reported that Nathan Detroit's, Inc. dba Nathan Detroit's, 316 North Pine Street, had submitted an application with the City Clerk's Office for addition to premise to their Class "C-31274" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor

Control Commission and received by the City on November 5, 2001; notice to applicant of date, time and place of hearing mailed on November 6, 2001; notice to the general public of date, time and place of hearing published on November 10, 2001; Chapter 4 of City Code and departmental reports as required by City Code. Stan Bilka, 418 West Division, representing Nathan Detroit's was present to answer questions. No public testimony was heard.

Public Hearing on Request of El Palenque, Inc. dba El Marinero, 102 West 4<sup>th</sup> Street, for Class "C" Liquor License. RaNae Edwards, City Clerk, reported that El Palenque, Inc. dba El Marinero, 102 West 4<sup>th</sup> Street, had submitted an application with the City Clerk's Office for a Class "C" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on November 9, 2001; notice to applicant of date, time and place of hearing mailed on November 9, 2001; notice to the general public of date, time and place of hearing published on November 10, 2001; Chapter 4 of City Code and departmental reports as required by City Code. Tom Wagoner, attorney for El Marinero, was present to answer questions. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located on the South Side of "C" Road, 1/2 Mile East of Gunbarrel Road (Harold B. Stoppkotte Family Trust) Gary Mader, Utilities Director, reported that acquisition of a utility easement relative to property of the Harold B. Stoppkotte Family Trust, located on the south side of "C" Road, 1/2 mile east of Gunbarrel Road, in Merrick County, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. The easement would be for the reconstruction three phase overhead line that feeds the old Stoppkotte homestead and an irrigation well. There was no easement for the original line constructed over 50 years ago. This easement would clear up and update any old records. One dollar (\$1.00) for the easement would be paid to the grantor. No public testimony was heard.

Public Hearing on Acquisition of Permanent Utility Easement for Sanitary Sewer District #493 Located on the East Side of North Road From Faidley Avenue South 825' (T & E Cattle Company). Steve Riehle, Public Works Director, reported that acquisition of a right of way located on the east side of North Road from Faidley Avenue south for approximately 825 feet was required in order to have access to install, upgrade, maintain, and repair utilities. The utilities may include power appurtenances, including lines and transformers, sanitary and storm sewers, water mains, etc. This easement was needed for the construction of Sanitary Sewer District #493. No public testimony was heard.

#### ORDINANCES:

Councilmember Sorensen moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and that ordinances numbered:

#8704 – Consideration of Proposed Modifications to City Council Ward Boundaries Resulting from Redistricting (Second Reading)

Councilmember Murray made a motion to approve Ordinance #8704, second by Larson. Upon roll call vote, all voted aye.

CONSENT AGENDA: Councilmember Pielstick requested that items G-3b and G-3c be removed from the Consent Agenda. Motion by Pielstick, second by Walker, carried unanimously to approve the Consent Agenda minus items G-3b and G-3c.

Receipt of Official Document Including Amended Civil Service Minutes of September 18, 2001 and Civil Service Minutes of October 18, 2001.

Approving Minutes of November 6, 2001 City Council Regular Meeting.

Approving Minutes of November 13, 2001 City Council Study Session.

Approving Request of Nathan Detroit's, Inc. dba Nathan Detroit's, 316 North Pine Street, for Addition to Premise to Liquor License "C-31274".

Approving Request of Cindy Albers, 111 West 13<sup>th</sup> Street, for Liquor Manager Designation for Grand Island Pizza Hut, Inc. dba Pizza Hut, 1816 North Webb Road.

#2001-315 – Approving Acquisition of Utility Easement Located on the South Side of "C" Road, ½ Mile East of Gunbarrel Road. (Harold B. Stoppkotte Family Trust)

#2001-316 – Approving Acquisition of Permanent Utility Easement for Sanitary Sewer District #493 Located on the East Side of North Road From Faidley Avenue South 825'. (T & E Cattle Company)

#2001-317 – Awarding Contract to ABB, Inc., Littleton, Colorado, for Distributed Control System in the Amount of \$232,685.00.

#2001-318 – Approving Agreement with Sargent & Lundy, Chicago, Illinois, for Precipitator Inlet/Outlet Duct Engineering Services, Not to Exceed \$67,500.00.

#2001-319 – Approving Final Plat and Subdivision Agreement for Cooper Subdivision. It was noted that Jeanie Cooper, owner, had submitted a final plat for Cooper Subdivision, located South of 1st Street and East of Kimball for the purpose to re-subdivide all of Lot 4, Block 93, Original Town of Grand Island into 2 lots.

#2001-320 – Approving Amendment to the Speed Limit on South Locust Between US Highway 34 and the Wood River Bridge.

#2001-321 – Approving Stop Sign at Platte Valley Boulevard and Juergen Road.

Approving Request of El Palenque, Inc. dba El Marinero, 102 West 4<sup>th</sup> Street, for Class "C" Liquor License. Motion by Ward, second by Larson to forward to the Liquor Control Commission with no recommendation. Carried unanimously.

Approving Request of Javier de la Torre, 610 North Walnut Street, for Liquor Manager Designation for El Palenque, Inc. dba El Marinero, 102 West 4<sup>th</sup> Street. Motion by Ward, second by Larson to forward to the Liquor Control Commission with no recommendation. Carried unanimously.

REQUEST AND REFERRALS:

Request of Super Bowl Enterprises, Inc. dba Super Bowl, 1010 Bismark Road, for Class "C" Liquor License. It was noted that a hearing was held on November 6, 2001 before the City Council and that this item was tabled at that time because the applicant had not requested inspections as required by the City Code. It was also noted that a letter from the City Clerk, setting out the liquor license procedures was mailed on November 7, 2001.

Motion by Whitesides, second by Pielstick to forward to the Liquor Control Commission with no recommendation.

Councilmember Whitesides stated that George Overfield has not been a good neighbor and that there had been several problems with Super Bowl. Councilmember Pielstick stated that she had received several phone calls of people complaining about the weeds around Super Bowl. Charlie Cuypers, City Attorney, stated that this business is policed more than any other in the city and that his office is contacted regularly concerning complaint from neighbors. George Overfield, owner of Super Bowl spoke in support. Ann Miller and Ron Miller, 704 South Cherry Street, spoke in opposition. Councilmember Murray stated that the neighbors may have valid concerns but that the issue before Council was concerning the liquor license and that all requirements had been met and felt that this should be approved.

Councilmember Whitesides changed his motion to deny the request of the Class "C" Liquor License. Councilmember Pielstick seconded the motion. Upon roll call vote. Councilmembers Whitesides and Pielstick voted aye. Councilmembers Ward, Larson, Seifert, Hornady, Haase, Murray, Walker and Sorensen voted nay. Motion failed.

Motion was made by Larson, second by Ward to approve the request. Upon roll call vote, Councilmembers Ward, Larson, Seifert, Hornady, Haase, Murray, Walker and Sorensen voted aye. Councilmembers Pielstick and Whitesides voted nay. Motion was adopted.

Request of George Overfield, 2023 Lamar Avenue, for Liquor Manager Designation for Super Bowl Enterprises, Inc. dba Super Bowl, 1010 Bismark Road. It was noted that George Overfield, 2023 Lamar Avenue, representing Super Bowl, 1010 Bismark Road, had submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-53722" Liquor License and that this application had been reviewed by the Police Department and City Clerk's Office

Motion by Ward, second by Seifert to approve the request of George Overfield for a Liquor Manager Designation for Super Bowl. Upon roll call vote, Councilmembers Ward, Larson, Seifert, Hornady, Haase, Murray, Walker and Sorensen vote aye. Councilmembers Whitesides and Pielstick vote nay. Motion adopted.

Request of Council President Jackie Pielstick to Discuss Non-Emergency Long Distance Transfers by the Grand Island Fire Department. Mayor Gnadt reviewed the process that had taken place with regards to the Fire Services committee and their recommendations. Mayor Gnadt stated that providing efficient fire and medical services was very important along with all services provided by the city. He also stated that the largest increases to the budget were for public safety. Mayor Gnadt mentioned the analysis study that was conducted by Shonssey CPA and the committee that was formed. It was mentioned that the committee felt that we should not be competing with private enterprise. The Mayor also apologized to the Council for the way this situation was handled, by not informing the Council on his decision before it was published in the paper.

Jim Rowell, Fire Chief, spoke about the efficiencies of the department. Mr. Rowell stated that private ambulance companies are required to have the same educational qualifications as the Grand Island Fire Department/Paramedics (GIFD). He also stated that the working relationship between the GIFD and the private ambulance companies had been very good.

Councilmember Pielstick mentioned that in February the Council had stated that they did not want to see changes in the Fire Department. She also stated that the City has the best department and that this should not be an enterprise fund.

Kim Wolfe, 2650 North Diers Avenue, representing Midwest Medical, commented on the excellent service of the Fire Department and felt this issue was between the City Council and the Fire Department. Mr. Wolfe stated that his business was strictly non-emergency transfers and that they depend on the GIFD and vice versa. He also mentioned the good working relationship with the GIFD and would like to see that continue.

Councilmember Walker stated that the biggest problem was not knowing about this until it came out in the paper. Mr. Walker asked what the current policy was for long distance transfers. Larry Nelson, EMS Division Chief, state that as of today he was unclear as to who gets called first on non-emergency transfers, but that emergency transfers were going to the GIFD first.

Marlan Ferguson, City Administrator, stated that the changes for non-emergency transfers would take place beginning January 1, 2002.

Councilmember Haase stated she felt it was important for the private companies to feel welcome here in Grand Island and that they provide a good service and we were fortunate to have Midwest Medical here in the city.

Councilmember Sorensen stated that his constituents were upset and feels the people should have the choice of which ambulance service they want. He felt competition was good.

Councilmember Whitesides commented on the lack of communication on this issue and feels everyone should have the freedom of choice, which is not allowed under the new policy.

Councilmember Ward stated that if the GIFD was making money on the transfers, then he felt we should continue them, but if we were losing money we should discontinue them. Mr. Ward asked what constitutes a non-emergency transfer. It was mentioned that all transfers could possibly become an emergency.

Councilmember Hornady stated that the issue was non-emergency transfers only and felt the these should be done by private enterprise.

Councilmember Pielstick requested that the Mayor rescind his decision to stop non-emergency transfer and appoint two representatives from the Council, Fire Department, Private Ambulance Service and Hospital to look into this. The Mayor stated that he was willing to appoint a committee.

The following people spoke regarding this issue:

Lyna Abshier, 4035 Driftwood Drive  
Cale Neal, 2516 Sothman Drive  
Maynard Lif, 1214 North Howard Avenue  
Tom O'Neill, 804 West Stolley Park Road  
Karen Reese, representing St. Francis Medical Center, 2123 West Koenig Street  
Allen Doudua, 524 West 8<sup>th</sup> Street  
Lewis Kent, 624 East Meves Aveneue  
Ann Miller, 704 South Cherry Street  
Glendale Reiss, 910 North Boggs #104  
Robert Meyer, 648 East Memorial Drive  
Tim O'Neill, 1203 South Sylvan Street  
Betty Curtis, 2616 Chanticleer Street  
Sharon Manning, 3999 West Capital Avenue

Councilmember Larson mentioned his personal experience with a private ambulance service and was very satisfied with the job they did. He also stated that in all areas of city government we have outside services helping us out. Mr. Larson stated that outside sources and private enterprises have their place in government and feels that forming a committee to study these areas was a good idea.

Motion was made by Seifert to leave the long distance transfers as they currently are. Second by Ward. Carried unanimously to approve. It was the consensus of the Council that a committee would be formed to look at this issue.

Scott Kuehl, president of the Grand Island firefighter's union spoke on behalf of the GIFD. He felt private companies were important, but if it isn't broke, don't fix it. John Meyer 4059 Horseshoe Place, wondered why Larry Nelson was not included in the decision making process.

Councilmember Pielstick congratulated Larry Nelson for his accomplishment of graduating from the US National Fire Academy.

It was agreed by Council that the committee must meet immediately and be brought back before Council with recommendations before January 1, 2002.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Ward, carried unanimously to approve the Claims for the period of November 7, 2001 through November 20, 2001, claims #113393 through #113844 for a total amount of \$1,461,978.52.

ADJOURNMENT: The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk