



# City of Grand Island

Tuesday, April 23, 2002

Council Session

## Item G4

### Approving Minutes of April 9, 2002 City Council Regular Meeting

*The Minutes of the April 9, 2002 City Council Regular Meeting are submitted for approval.  
See attached MINUTES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS  
CITY OF GRAND ISLAND, NEBRASKA  
MINUTES OF CITY COUNCIL REGULAR MEETING  
April 9, 2002

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 9, 2002. Notice of the meeting was given in the Grand Island Independent on April 3, 2002.

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

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Councilmember Jackie Pielstick.

RESERVE TIME TO SPEAK ON AGENDA ITEMS: No individuals reserved time to speak on agenda items.

PRESENTATIONS AND PROCLAMATIONS:

It's About Kids! Youth Leadership Tomorrow, It's About Kids! assets were presented by Lindsey Shoemaker, Mollie Seim and Abby Robbins.

Proclamation "April is for the Arts" Month April 2002. Mayor Gnadt proclaimed the month of April, 2002 as "April is for the Arts". Trish Beam, representing the Convention and Visitors Bureau and Carolyn Carr representing Moonshell Arts & Humanities Council were present to receive the proclamation.

Proclamation "Public Health Month" April 2002. Mayor Gnadt proclaimed the month of April, 2002 as "Public Health Month". Sojna Simpson, Health Department Director was present to receive the proclamation.

Proclamation "Taiwan Heritage Week" May 5-11 2002. Mayor Gnadt proclaimed the week of May 5-11, 2002 as "Taiwan Heritage Week".

Proclamation "National Library Week" April 14-20, 2002. Mayor Gnadt proclaimed the week of April 14-20, 2002 as "National Library Week". Steve Fosselman, Library Director and Jerry Bryant, President of the Library Board were present to receive the proclamation.

Proclamation "Fair Housing Month" April 2002. Mayor Gnadt proclaimed the month of April, 2002 as "Fair Housing Month".

PUBLIC HEARINGS:

Public Hearing on Request of Todd Carpenter and Doug Redman for Conditional Use Permit for a Parking Lot Located at 1717 West 2<sup>nd</sup> Street. Craig Lewis, Building Department Director reported that Todd Carpenter and Doug Redman, 2106 North Webb Road, had submitted an application with the City Clerk's Office for a Conditional Use Permit for a parking lot located at 1717 West 2nd Street. The property under consideration was the south one half of the block. The property was currently zoned R-3 medium density residential and as such parking lots are allowed only if approved by the City Council in the form of a conditional use permit. No public testimony was heard.

Public Hearing on Request of Dennis and Barbara Stark for Conditional Use Permit for Construction of a New Home While Living in Current Home Located at 3460 North Webb Road. Craig Lewis, Building Department Director reported that Dennis and Barbara Stark, 3460 North Webb Road, had submitted an application with the City Clerk's Office for a Conditional Use Permit for construction of a new home while living in their current home located at 3460 North Webb Road. The property was currently zoned A-G, Agricultural Zone, this zoning classification allows that only one principal building shall be permitted on one zoning lot. Section 36-119 of the Grand Island Zoning code does allow for temporary buildings and uses not to exceed two years in undeveloped areas, as a conditional use approved by the City Council. No public testimony was heard.

Public Hearing on Request of Gas Island LLC dba Gas Island, 2012 North Webb Road for a Class "D" Liquor License. City Clerk, RaNae Edwards reported that Mark Masek, owner of Gas Island LLC dba Gas Island, 2012 North Webb Road had submitted an application with the City Clerk's Office for a Class "D" Liquor License which allows for the sale of alcoholic liquor off sale only inside the corporate limits of the City of Grand Island. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 26, 2002; notice to applicant of date, time and place of hearing mailed on March 26, 2002; notice to the general public of date, time and place of hearing published on March 31, 2002; Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Permanent Utility Easements for Sanitary Sewer District #493. (Reed Road, Roth Road and Beachwood Drive) Steve Riehle, Public Works Director reported that acquisition of permanent utility easements relative to Sanitary Sewer District #493 located on Reed Road, Roth Road and Beachwood Drive were required in order to construct Sanitary Sewer District 493. The individual Owners had agreed to the terms for the easements. No public testimony was heard.

Public Hearing on Proposed Grant Application to Department of Economic Development Relative to Community Development Funding for Nebraska Goodwill Industries Behavioral Health Rehabilitation Center. Jeri Garrouette, Community Development Director reported that the Nebraska Department of Economic Development accepts applications through the Community Development Block Grant Program for grant funding to assist with public works activities, including community centers, senior centers, primary health and mental health clinics and dependent care facilities. Applications could only be submitted by municipalities. Community

Projects staff had met with a number of agencies who had requested the City make application on their behalf. After careful review of the proposed projects and discussion with the DED Program Representative, City staff recommended the submittal of an application for the renovation and expansion of Central Nebraska Goodwill Industries Behavioral Health Rehabilitation Center. The Center was a site for comprehensive behavioral health services including day rehabilitation, employment services, day support, community support, and housing for persons with a serious mental illness. The City's request to CDBG was for funding in the amount of \$322,500; total cost of the project was anticipated to be approximately \$432,500. The remaining \$110,000 was available through Central Nebraska Goodwill Industries. Community Projects staff would monitor and oversee the grant activities. Terry Loschen, 2102 Stagecoach Road and Chris Nolan-Brown, 1720 South Curtis Street spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Ingress/Egress Easement and Permanent Easement Located at 2322-2328 South Locust Street. (Gary Shovlain) This item was pulled from the Agenda.

#### ORDINANCES:

Motion by Pielstick, second by Whitesides, carried unanimously to table Ordinance #8721 and Resolution #2002-56 until the May 7, 2002 Council Meeting.

#8721 – Consideration of Conveyance of Real Estate in Meadowlark West Third Subdivision and Part of the SE1/4 NE1/4 of Section 13-11-10 Hall County, Nebraska to Reconfigure Detention Cell

#2002-56 – Approving Reconfiguration of Detention Cell Including Acquisition of Real Estate and Approval of Exchange Agreement

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

#8729 – Consideration of Amendment to Chapter 29 of the Grand Island City Code Relative to Health Inspections

#8730 – Consideration of Amendment to Chapter 17 of the Grand Island City Code Relative to Junked Vehicles

#8731 – Consideration of Amendment to Chapter 20 of the Grand Island City Code Relative to Disorderly Houses

#8732 – Consideration of Creating Street Improvement District #1244, Alley From Cedar Street to Elm Street Between 3<sup>rd</sup> Street and South Front Street

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 their first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage. Councilmember Pielstick seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Mayor: Is there any one in the audience interested in these ordinances? City Attorney Charlie Cuyper and Code Compliance Officer Tim Holloway presented a power point presentation

regarding Ordinance #8730 Junked Vehicles. Randy Boltz, 515 East Capital Avenue, Randy Schoenstein, 1132 Greenwich Street and Allan Doudna, 524 West 8<sup>th</sup> Street #4 spoke in opposition. John Luna, 712 East 8<sup>th</sup> Street spoke in favor. Steve Riehle, Public Works Director explained Ordinance #8732. No further public testimony was heard.

City Clerk: Ordinances #8729, #8730, #8731 and #8732 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.

City Clerk: Ordinance #8729m #8730, #8731 and #8732 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.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8729, #8730, #8731 and #8732 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Hornday, second by Seifert carried unanimously to table Resolution #2002-78 until May 7, 2002. Motion by Pielstick, second by Ward, carried unanimously to approve the Consent Agenda excluding items G-7, G-8, G-15 and G-16.

Approving Minutes of March 26, 2002 City Council Regular Meeting. Councilmembers Hornady and Seifert abstained.

Approving Minutes of April 2, 2002 City Council Study Session.

Approving Request of Todd Carpenter and Doub Redman for Conditional Use Permit for a Parking Lot Located at 1717 West 2<sup>nd</sup> Street. David Jelinek, 1723 West 1<sup>st</sup> Street questioned the notification process and asked about the landscaping.

Approving Request of Dennis and Barbara Stark for Conditional Use Permit for Construction of a New Home While Living in Current Home Located at 3460 North Webb Road.

Approving Request of Gas Island LLC dba Gas Island, 2012 North Webb Road for a Class "D" Liquor License.

Approving Request of David Masek, HC 76, Box 44, Purdum, Nebraska for Liquor Manager Designation for Gas Island LLC dba Gas Island, 2012 North Webb Road.

#2002-56 – Approving Reconfiguration of Detention Cell Including Acquisition of Real Estate and Approval of Exchange Agreement. This item was tabled until the April 9, 2002 City Council Meeting. Tabled to the May 7, 2002 City Council Regular Meeting.

#2002-78 – Approving Final Plat and Subdivision Agreement for Meadowlark West Fourth Subdivision. Tabled to the May 7, 2002 City Council Regular Meeting.

#2002-91 – Approving Acquisition of Permanent Utility Easements for Sanitary Sewer District #493.

#2002-92 – Approving Discontinuation of Street Improvement District #1242, Third Street and Front Street From Cedar Street to Elm Street.

#2002-93 – Approving Continuation of Street Improvement District #1243, Third Street and Front Street From Elm Street to Cleburn Street.

#2002-94 – Approving Change Order #2 to the Contract with Kayton Electric for Electrical System Improvements at the Wastewater Treatment Plant for a Net Increase of \$11,935.00 and a Revised Contract Amount of \$964,981.00.

#2002-95 – Approving Application to Nebraska Department of Economic Development Community Block Grant Program for Central Nebraska Goodwill Industries.

#2002-96 – Approving Bid Award for Water Main Project #2002-W-4 with Diamond Engineering Company, Grand Island, Nebraska in an Amount of \$26,738.71.

#2002-97 – Approving Acquisition of Ingress/Egress Easement Located at 2322-2828 South Locust Street. (Gary Shovlain) This item was pulled from the Agenda.

#2002-98 – Approving Acquisition of Permanent Easement Located at 2322-2328 South Locust Street. (Gary Shovlain) This item was pulled from the Agenda.

#2002-99 – Approving Bid Award for Library Expansion Project with Starostka Group Company, Grand Island, Nebraska in an Amount of \$82,000.00.

#2002-100 – Approving Bid Award for Hot Mix Asphalt for 2002 Street Maintenance with Gary Smith Construction Company, Inc., Grand Island, Nebraska in an Amount of \$16.75 per ton for Type B Asphalt and \$19.75 per ton for Type C Asphalt.

#2002-101 – Approving Bid Award from State Contract No. CA5706 for Ford F350 Pickup and Chevrolet Silverado 2500HD Pickup for Wastewater Treatment Plant with Husker Auto Group, Lincoln, Nebraska in an Amount of \$26,737.20 for Chevrolet Silverado 2500HD Pickup and \$28,899.00 for Ford F350 Pickup.

#2002-102 – Approving Bid Award for Filter Face Piping Repair at Island Oasis with Neuman Pools, Beaver Dam, Wisconsin in an Amount of \$12,300.00.

#### REQUESTS AND REFERRALS:

Consideration of Request by Petition for Water Main District on Gretchen Street and to Refer to Utilities Department to Begin Design. Gary Mader, Utilities Director reported that a petition had been received by the City Clerk's Office for a Water Main District on Gretchen Street It had been recommended that this be referred to the Utilities Department to begin design for the Water Main

District. Motion by Hornady, second by Murray, carried unanimously to forward to the Utilities Department.

RESOLUTIONS:

#2002-103 – Approving Endorsing Transportation Improvements for Grand Island and the Enactment by the Nebraska Unicameral of a New State Wide Transportation Program “Nebraska on the Move”. Steve Riehle, Public Works Director reported that the Nebraska League of Municipalities had requested that the City Council consider a Resolution encouraging the Nebraska Unicameral to enact a new state-wide comprehensive transportation program. Grand Island had been asked to identify several transportation capital improvements that were vital to improve safety and growth of the community. South Locust Street, US Highway 30 East and US Highway 30 through the City of Grand Island, US Highway 34 - Locust Street to US Highway 281, and Capital Avenue from US Highway 281 to St. Paul Road were identified as vital projects. The City was unable to finance all capital transportation improvements without the assistance of the State of Nebraska, Nebraska Department of Roads and other agencies, and the State cannot address City needs without the enactment of a new Program. Motion by Pielstick, second by Sorensen, carried unanimously to approve.

#2002-104 – Approving Support of the Central Nebraska Regional Airport Efforts Towards the U.S. Department of Transportation’s Small Communities Air Service Development Program. Marlan Ferguson, City Administrator reported that the Central Nebraska Regional Airport was seeking to establish the Central Nebraska Air Service Consortium consisting of local communities and counties to apply for a grant from the Small Community Air Service Development Pilot Program. This program has been funded by Congress for two years in the amount of \$45,000,000 to make available grants for local air service development in up to 40 communities and/or consortia. The Central Nebraska Regional Airport has obtained commitments from a number of area communities and counties to participate in the grant application and funding of the air service development effort. The administration of the City of Grand Island has recommended authorization to pay \$24,000 to the consortium over the next two years to be used as part of this development program and to participate in the grant application. Motion by Seifert, second by Sorensen, carried unanimously to approve.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Hornady, carried unanimously to approve the Claims for the period of March 27, 2002 through April 9, 2002, for a total amount of \$10,374,713.96.

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk