



City of Grand Island

Tuesday, June 25, 2002

Council Session

Item G2

Approving Minutes of June 18, 2002 City Council Study Session

The Minutes of the June 18, 2002 City Council Study Session are submitted for approval. See attached MINUTES.

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

June 18, 2002

Pursuant to due call and notice thereof, a Study Session 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 June 18, 2002. Notice of the meeting was given in the Grand Island Independent on June 12, 2002.

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 and Walker. Councilmember Sorensen 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.

RESERVE TIME TO SPEAK ON AGENDA ITEMS: One individual reserved time to speak on agenda items.

Presentation of US Fish and Wildlife Platte River Critical Habitat Designation. Gary Mader, Utilities Director, and Ron Bishop, Central Platte Natural Resources District Manager, reported that the United States Fish and Wildlife Service (USF&W) had promulgated a wide range critical habitat designation for the Piping Plover. In Nebraska, this designation reached part of the Platte, Niobrara, Loup and Missouri Rivers. It also included river reaches and lakes in North and South Dakota and Minnesota.

This designation had the potential to greatly change the way water was used in the State, including the City's well field. The importance of the designation, and its possible affects on Nebraska water use, had been the catalyst to bring a number of organizations together as the Nebraska Habitat Conservation Coalition (NHCC).

The group included natural resource districts, power districts, irrigation districts and farm groups. This designation comes at the same time that the Platte River Cooperative Agreement (CA) was ongoing.

Mr. Mader recommended the City join the coalition, funding from Fund 525, Water Enterprise Fund. Fiscal effects included expenditure of \$3,000.00 annually for three years from Fund 525.

Councilmember Murray questioned the benefit of Grand Island joining this coalition. Mr. Bishop stated that this issue was not over and anticipated additional issues including maybe court action, but that if this did go to court they would not be back asking for more money. Councilmember Ward asked what the cost of replacing our well fields would be. Mr. Mader stated it would depend on where the well fields would be located and at this time would be hard to put a price on

it. Councilmember Larson felt we should join the coalition. Councilmember Pielstick requested this issue be brought before Council at the next regular meeting of June 25, 2002.

Review of Street Lighting Standards. Steve Riehle, Public Works Director, reported that Councilmember Whitesides had requested that the city review the street lighting standards to see if the standards should be modified so that additional lights could be installed along Third Street.

The current street lighting standard for residential city streets was to install a street light at every intersection. If the distance between intersections puts the lights more than 400 feet apart, the city would install an additional light as long as the 8 adjacent residents support the installation. The distance between intersections along Third Street was 344 feet. This distance between intersections was typical for the older parts of the city. Kearney, Lincoln and York's residential street lighting standards call for streetlights at every intersection. Hastings has many streetlights that may be as close as 75' on alternate sides of the street. Many are at 150'. Mr. Riehle stated Hastings was currently reviewing their street lighting standards because they would like to reduce their annual expenses for street light electricity and maintenance.

Mr. Riehle stated there were 4,078 streetlights for an annual cost per streetlight being \$51.29. Possible solutions would be to upgrade current standards or allow residents to add extra lights.

Councilmember Whitesides stated he originally wanted to see more streetlights on Third Street, but that there were other areas in the city that would need more lighting. Councilmember Murray questioned the amount of lighting on Third Street compared to other streets and if there had been any complaints from other areas. Mr. Riehle stated there were concerns at 13th Street, Potash and Capital Avenue. Councilmember Larson stated concerns about how this came about, whether it was from the citizens or from the city. Councilmember Whitesides stated he felt we should look at the standards and possibly deal with these on a case-by-case basis.

Lewis Kent, 624 Meves Avenue, mentioned that trees were growing over the lights and it might be helpful if they were trimmed to get the most benefit of these lights.

Councilmember Whitesides recommended staff look at the standards and the lighting on Third Street and other arterial streets.

Discussion Regarding Obstructions in the Right of Way. Steve Riehle, Public Works Director, reported that Easements and Alley/Street Right of Ways were used to build things such as electric lines, water mains, sanitary sewer mains, other utilities, streets and alleys. Easements allow use of the land while ownership remains with the original property owner. That enables the property owner to use their land with minimal impact on their property. Building or sign set backs are not impacted by the easements.

Property for streets and alleys was acquired as Right of Ways. Right of Way does affect building set backs. Keeping those easements and Right of Ways clear of obstructions was difficult. Easements throughout town have been built up with fences, sheds, dog kennels, landscaping, sprinkler systems, and other obstructions. These obstructions make access to the easements and the utilities within those easements difficult if not impossible. Alley Right of Ways were

generally kept clear because they are only 16' to 20' wide and many of the alleys were regularly used by neighbors or garbage trucks.

Street Right of Ways in areas where the sidewalk is at the back of curb were especially hard to keep clear of obstructions. Many property owners consider the land behind the curb to be their yard. Right of Ways are public property and any specific use by an individual at the expense of the general public use should be very limited.

If an individual would like to use an easement or Alley/Street Right of Way they must obtain a license agreement with a \$100 application fee. The license agreement is approved administratively after review by city staff and filed with the property documents at the Register of Deeds Office. If staff denies an application for a license agreement, the applicant can appeal the decision to council for an additional \$50.

Mr. Riehle stated the system was difficult to administer. City staff does not have time to patrol the town looking for obstructions that were being built. Some individuals follow the rules and ask for permission to install an obstruction by applying for a license agreement. Other individuals put up obstructions without asking for permission and hope to sneak by without getting caught. When caught they usually ask for forgiveness.

Mr. Riehle stated obstructions in easements cause grief, but the obstructions (primarily fences) in the Right of Ways have staff concerned. Issues mentioned include safety for pedestrians using the sidewalk and where to put the snow during snow removal operations.

Councilmember Walker questioned where the easements were. Mr. Riehle stated it varies across town. Councilmember Larson asked what recourse the city had if citizens built in the easement. Craig Lewis, Building Department Director, stated the city could make the property owner remove the structure. City Attorney Charlie Cuypers stated these problems has caused problems between neighbors.

Lewis Kent, 624 Meves Avenue, questioned trees that were in the right-of-way and what could be done. City Attorney Charlie Cuypers stated that the City Code had regulations with regards to trimming trees.

Review of Fee Schedule for Fiscal Year 2002-2003. Finance Director, David Springer reported that the fee schedule was reviewed at a study session before incorporating into the city's annual budget. The User Fee Schedule will be presented to the City Council for adoption on June 25, 2002. The Solid Waste Division of the Public Works Department had proposed solid waste fee schedule because the proposed rate for packer trucks is being increased more then the other solid waste fees.

Councilmember Pielstick stated she had problems with the increase in landfill fees. She felt raising rates would cause more people not to use the trash hauler services and more trash would be dumped in the roadsides. Public Works Director Steve Riehle made a presentation with regards to the landfill fees. Kevin McKennon, Solid Waste Superintendent, spoke concerning the landfill rates. Councilmember Walker commented that Council could not control what the haulers charge.

Councilmember Haase questioned the water park fees. Parks and Recreation Director Steve Paustian stated there were no other parks around this area to compare to and the increased fees would cover maintenance costs and salaries for the summer employees.

ADJOURNMENT: The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk