



City of Grand Island

Tuesday, August 13, 2002

Council Session

Item G5

Approving Minutes of July 23, 2002 City Council Regular Meeting

*The Minutes of the July 23, 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

July 23, 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 July 23, 2002. Notice of the meeting was given in the Grand Island Independent on July 17, 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, Walker and Sorensen. 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 Pastor Ed Clemens, Church of God, 1520 North Rudy Avenue.

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

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Larry and Liz Seifert, Coordinators of the Grand Island Fishing Derby. The Mayor and City Council recognized Larry and Liz Seifert for 10 years of dedicated service to the Grand Island Fishing Derby. Larry and Liz have served as coordinators of this event for the past 10 years and have announced their retirement this year. Larry and Liz along with their children Brian and Jessica were thanked for all of their efforts in this very successful event.

PUBLIC HEARINGS:

Public Hearing on Request of James K. Keeshan, dba Hawg Wild, 410 West 3rd Street, for Class "C" Liquor License. City Clerk, RaNae Edwards reported that James K. Keeshan, dba Hawg Wild, 410 West 3rd Street had submitted an application with the City Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale within 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 July 8, 2002; notice to applicant of date, time and place of hearing mailed on July 8, 2002; notice to the general public of date, time and place of hearing published on July 13, 2002; Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of Grand Island PH, Inc. dba Pizza Hut, 1816 North Webb Road for Change of Location to 707 North Diers Avenue. City Clerk, RaNae Edward reported that Grand

Island PH, Inc. dba Pizza Hut, 1816 North Webb Road had submitted an application with the City Clerk's Office for a Change of Location to 707 North Diers Avenue. Ms. Edwards presented the following exhibits for the record: application submitted by the Liquor Control Commission and received by the City on July 15, 2002; notice to applicant of date, time and place of hearing mailed on July 15, 2002; notice to the general public of date, time and place of hearing published on July 17, 2002; Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2710 N. North Road. (Northwest High School) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 2710 N. North Road, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to relocate an overhead three-phase line to underground. No public testimony was heard.

Public Hearing on Acquisition of Donated Property Along South Locust Street Corridor for Use as Landscaped Area. Cindy Johnson, Community Projects Director, reported that the City of Grand Island has been approached by officers of Nebraska Mil-Nic., Inc., Midtown Holiday Inn, regarding possible donation of property by Nebraska Mil-Nic to the City. The property, located adjacent to South Locust Street, just south of the Holiday Inn, was currently the site of a used vehicle business.

Business Improvement District #3, South Locust Street from Stolley Park Road to Highway 34, had expressed an interest in the acquisition of this property for further development of the beautification efforts along South Locust Street. A site plan for development of the site as a landscaped area was being completed in conjunction with the South Locust Identity and Design Plan. The Community Redevelopment Authority was aware of the possible donation of this property to the City and had been asked to participate in these redevelopment efforts by funding demolition of the existing structures.

The CRA would be considering a resolution of intent to participate in this project at its August 6, 2002 meeting; funding had been included in the FY2002-2003 CRA Annual Budget. Ongoing maintenance and upkeep of the property would be the responsibility of Business Improvement District #3. No public testimony was heard.

Public Hearing on Proposed Amendment to FY 2001-2002 Annual Budget. David Springer, Finance Director, reported that this amendment provided for \$20,171.00 for Downtown Grand Island Parking Ramp Auto Cashier Multi-Pay Station for the Development Division of the Community Projects Department, and \$6,329.00 for electrical hook-up and installation, for a total of \$26,500.00. Sufficient funds were available in Parking District #2, Off-Street Parking Ramp, but were not appropriated in the original fiscal budget. The proposed amendment would authorize spending these dollars for the parking ramp equipment which was presented to Council on July 5, 2002. No public testimony was heard.

ORDINANCES:

#8755 – Consideration of Approving Salary Ordinance was pulled from the agenda to the August 12, 2002 Budget Study Session

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

- #8751 - Consideration of Creating Business Improvement District No. 4
- #8752 - Consideration of Amending Chapter 27 of the Grand Island City Code Relative to Procurement Code
- #8753 – Consideration of Amending Chapter 19 of the Grand Island City Code Relative to Number of Library Board Members
- #8754 – Consideration of Amendment to FY 2001-2002 Annual Budget

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 Ward seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Mayor: Is there any one in the audience interested in these ordinances? Councilmember Pielstick requested that Ordinance #8753 include a representative from the Council on the Library Board. No further public testimony was heard.

City Clerk: Ordinances #8751, #8752, #8753 and #8754 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. Motion adopted.

City Clerk: Ordinance #8751, #8752, #8753 and #8754 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. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8751, #8752, #8753 and #8754 are declared to be lawfully passed and adopted upon publication as required by law.

Motion was made by Murray, second by Hornady, to approve Ordinance #8748 – Consideration of Annexation – Areas 2, 3, 5b, 6, 9 10 & 11 on second reading. Dan Springer, 3624 Schroeder Avenue and Louise Miller, 1104 West Charles Street, spoke in opposition. Upon roll call vote, all voted aye. Motion adopted.

Motion was made by Whitesides, second by Haase, to deny Ordinance #8749 – Consideration of Annexation – Area 12 on second reading. Rhonda Riha, 3560 Hillside Drive; Dave Keeling, 3556 Schroeder Avenue; Kim Meyer, 4221 Springview Drive; Darrin Cox, 3549 Schroeder Avenue, and Sue Springer, 3624 Schroeder Avenue spoke in opposition. Upon roll call vote, Councilmembers Seifert, Larson, Hornady and Walker voted yes. Councilmembers Pielstick, Ward, Whitesides, Haase, Murray and Sorensen voted no. Motion adopted to deny Ordinance #8749.

CONSENT AGENDA: Motion by Pielstick, second by Whitesides, carried unanimously to approve the Consent Agenda.

Receipt of Official Document – Civil Service Minutes of June 24, 2002.

Approving Minutes of July 9, 2002 City Council Regular Meeting.

Approving Minutes of July 16, 2002 City Council Study Session.

Approving Appointments of Gene McCloud and Rhonda Saalfeld to Business Improvement District #3.

Approving Request of James K. Keeshan, dba Hawg Wild, 410 West 3rd Street, for Class “C” Liquor License.

Approving Request of Grand Island PH, Inc. dba Pizza Hut, 1816 North Webb Road for Change of Location for Liquor License to 707 North Diers Avenue.

#2002-208 – Approving FY2002-2003 Annual Budget for Business Improvement District #2, Downtown, and Setting Date for Board of Equalization.

#2002-209 – Approving FY2002-2003 Annual Budget for Business Improvement District #3, South Locust Street from Stolley Park Road to Highway 34, and Setting Date for Board of Equalization.

#2002-210 – Approving Acquisition of Utility Easement Located at 2710 N. North Road. (Northwest High School)

#2002-211 – Approving Acquisition of Donated Property Along South Locust Street Corridor for Use as Landscaped Area. (Nebraska Mil-Nic, Inc.) Councilmember Walker questioned the cost and contamination issues. Cindy Johnson, Community Projects Director, reported the City would cover the survey and environmental assessment costs, Business Improvement District #3 would maintain the property and CRA could cover the demolition costs. City Attorney Charlie Cuypers stated that the agreement covered these issues.

#2002-212 – Approving Bid Award for Two Complete Spur Gear and Housing Assemblies for Waste Water Treatment Division to Walker Process Equipment, Aurora, Illinois in an Amount of \$43,346.00.

#2002-213 – Approving Deferral of Assessments in Sanitary Sewer District #501 (Freedom Drive) for Agricultural Property. (Chief Industries, Inc. and Verna Schwartz)

#2002-214 – Approving Certificates of Final Completion for Engineering Services for Wading Pool Construction with Olsson Associates, Grand Island, Nebraska.

#2002-215 – Approving Final Plat and Subdivision Agreement for Fairacres Dairy 7th Subdivision. It was noted that Rick & Patricia Johnson & Gary Christensen, owners, had submitted the final plat for Fairacres Dairy 7th Subdivision, located North of Seedling Mile Rd, and East of Shady Bend Road for the propose to resubdivide a part of lot three Fairacres Dairy Third Subdivision into 2 new lots.

#2002-216 – Approving Final Plat and Subdivision Agreement for Norwood 3rd Subdivision. It was noted that Randall Hartmann, owner, had submitted the final plat for Norwood 3rd Subdivision, located East of St. Paul Road and North of 15th Street for the propose of developing two lots on a currently unplatted parcel of land located in the W 1/2 of the NW 1/4 of 10-11-9.

#2002-217 – Approving Amendment to Easement for Shoemaker Hike/Bike Trail.

#2002-218 – Approving Bid Award for One (1) Minimum 26,000 GVW Flatbed Truck with Hansen International Truck, Inc., Grand Island, Nebraska in an Amount of \$35,954.11.

#2002-219 – Approving Bid Award for Rebuilding of Railroad Tracks in Stolley Park with Chippewa Northwestern Railway Company, Lincoln, Nebraska in an Amount of \$97,500.00.

#2002-220 – Approving Bid Award for Boiler Inspection and Repair for Platte Generating Station with Moorhead Machinery & Boiler Company, Minneapolis, Minnesota, in an Amount of \$312,700.00.

#2002-221 – Approving Bid Award for Turbine Generator Overhaul at Platte Generating Station with Power Generation Service, Inc., Mandan, North Dakota, in an Amount of \$478,000.00.

#2002-222 – Approving Change Order #1 for Protective Panel Contract with Harlo Corporation, Gradville, Michigan for an Increase of \$1,130.00 and a Net Contract Amount of \$99,730.00.

#2002-223 – Approving Change Order #1 for Design and Fabrication of Steel Structures with Valmont Industries, Tulsa, Oklahoma for a Decrease of \$256.00 and a Net Contract Amount of \$151,529.00.

#2002-224 – Approving Bid Award for Concrete Overlay of Tennis Courts at Buechler Park with L & L Concrete, Grand Island, Nebraska in an Amount of \$35,532.00.

#2002-225 – Approving Contract for Stolley Park Playground Equipment with Leathers & Associates, Ithica, New York, in an Amount not to Exceed \$5,000.00.

#2002-226 – Approving Lease Agreement with Team Waynes Paintball Club for Paintball Fields at CHAAP.

#2002-227 – Approving Amendment to Contract for Engineering Services for Platte Valley Industrial Park Drainage Study with Olsson Associates in an Amount of \$52,690.00.

#2002-228 – Approving Upgrade and Compliance of Microsoft Licensing with Microsoft in an Amount of \$150,000.00. Councilmembers Pielstick, Sorensen and Haase voted no.

#2002-229 – Approving Change of City Council Study Session Meeting Date from August 6, 2002 to August 5, 2002.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Hornady, carried unanimously to approve the Claims for the period of July 10, 2002 through July 23, 2002, for a total amount of \$3,659,814.11.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk