



City of Grand Island

Tuesday, August 27, 2002

Council Session

Item G4

Approving Minutes of August 13, 2002 City Council Regular Meeting

The Minutes of the August 13, 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

August 13, 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 August 13, 2002. Notice of the meeting was given in the Grand Island Independent on August 7, 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, Deputy City Clerk Cindy Brozek, 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: Thirteen individuals reserved time to speak on agenda items. Thirteen individuals reserved time to speak on agenda items.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Police Chief Kyle Hetrick and Sergeant Clyde Church for 30 Years of Service. The Mayor and City Council recognized Police Chief Kyle Hetrick and Sergeant Clyde Church for their 30 years of dedicated service to the Grand Island Police Department. Chief Kyle Hetrick was present for the presentation.

Presentation by the German Heritage Group. Wayne and Carol Schroeder and Carlyle and Margaret Smith presented the Mayor and City Council with a "Declaration of Friendship" between the City of Grand Island and Bad Segeberg, Germany. These four Grand Island residents returned from a trip to Bad Segeberg, Germany, where they presented Bad Segeberg's mayor with one of the "Declaration of Friendship's" signed by Mayor Gnadt and City Administrator Marlan Ferguson. The "Declaration of Friendship" signed by Bad Segeberg's was presented to Mayor Gnadt and the City Council. Grand Island resident Edith Robbins read the German portion of the document. The group also presented the Mayor with a book from the Mayor of Bad Segeberg.

ADJOURN BOARD OF EQUALIZATION: Motion by Whitesides, second by Ward, carried unanimously to adjourn to the Board of Equalization.

#2002-BE-5 – Determining Benefits for Sanitary Sewer District #492, R & B Subdivision. Motion by Seifert, second by Sorensen, to approve Resolution #2002-BE-5, carried unanimously.

RETURN TO REGULAR SESSION: Motion by Hornady, second by Sorensen, carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located at 231 South Locust Street. (Hall County) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 231 South Locust Street, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a pad mounted transformer to serve the remodeled Seltzer Building. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3133 West Highway 34. (Stuhr Museum) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 231 South Locust Street, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to relocate the primary cable serving the Taylor Ranch area of the Museum. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Along Wildwood Drive on the South Side of Platte Valley Industrial Park. (Kevin and Denise Mohr) Steve Riehle, Public Works Director, reported that acquisition of a utility easement located along Wildwood Drive on the south side of the Platte Valley Industrial Park, was required in order to have access to install, upgrade, maintain, and repair public utilities. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located in Lot Three (3), Pedcor Subdivision. (Pedcor) Steve Riehle, Public Works Director, reported that acquisition of a utility easement located in Lot Three (3), Pedcor Subdivision, was required in order to have access to install, upgrade, maintain, and repair public utilities. This easement is needed to changes made in the loctation of the public sanitary sewer main on lot 3. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located in the Ponderosa Lake Estates Subdivision. Steve Riehle, Public Works Director, reported that acquisition of a utility easement located in the Ponderosa Lake Estates Subdivision, was required in order to have access to install, upgrade, maintain, and repair public utilities. No public testimony was heard.

Public Hearing on Acquisition of Right of Way for Hike/Bide Trail Adjacent to St. Joe Railroad Tracks. Steve Paustian, Parks and Recreation Director, reported that the City has had ongoing discussions with the Baasch family regarding selling the City an easement for the hike/bike trail. The most recent contact with the Baasch family indicated that a voluntary acquisition was now likely and that an action in eminent domain would be required to obtain the right of way. Attorney Vince Dowding, representing the Baasch family, spoke in opposition. No further public testimony was heard.

Public Hearing on Adoption of Official City Zoning Map as a Result of Annexation. Chad Nability, Regional Planning Director, reported that the Regional Planning Department had developed the Official Zoning Map in accordance with Section 36-7 of the Grand Island City Code whereby establishing the location, size, shape and boundaries of the zones approved by the City Council for the enforcement of zoning regulations. It had been recommended that the Official Zoning Map be ratified, affirmed, readopted and published as a result of annexation of adjacent suburban/urban properties. The Regional Planning Commission approved the Official Zoning Map at their July 10, 2002 meeting. No public testimony was heard.

Public Hearing on Request of Ryan and Lisa Crouch, 2231 West 11th Street, for Conditional Use Permit for Temporary Placement of Trailer House Located at 541/531 Midaro Drive. Craig Lewis, Building Department Director, reported that the Crouch's have requested the Conditional Use Permit to allow for continued temporary placement of a trailer house on the property, to remain until the Crouches have built a permanent home at the site. Lisa Crouch, 2231 West 11th Street, spoke in favor.

ORDINANCES:

#8748 – Consideration of Annexation – Areas 2, 3, 5b, 6, 9, 10 & 11. (Third Reading)

Motion was made by Larson, second by Hornady, to approve Ordinance #8748 on third and final reading. Mike Johnson and Darlene Niemoth spoke in opposition. Upon roll call vote, all voted aye. Motion adopted.

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

#8756 - Consideration of Assessments for Sanitary Sewer District #492, R & B Subdivision

#8757 - Consideration of Amending Chapter 12 of the Grand Island City Code Relative to Positions Subject to the Civil Service Act

#8758 – Consideration of Amending Chapter 15 of the Grand Island City Code Relative to the National Electrical Code

#8759 – Consideration of Vacating Public Utility Easement at 1809 West Anna Street

#8755 - Consideration of Salary Ordinance

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

Mayor: Is there any one in the audience interested in these ordinances? No public testimony was heard.

City Clerk: Ordinances #8756, #8757, #8758, #8759, #8755 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 #8756, #8757, #8758, #8759, and #8755 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 # 8756, #8757, #8758, #8759, and #8755 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Pielstick, second by Hornady, carried unanimously to approve the Consent Agenda with the exception of G-12 and G-27.

Receipt of Official Document – Civil Service Minutes of July 17, 2002 and August 2, 2002.

Receipt of Official Document – Community Redevelopment Authority Resolution #39

Approving Appointments to the Animal Advisory Board.

Approving Request of Fonner Park Exposition and Events Center, Inc. for Ratification of Election of Board of Directors.

Approving Minutes of July 23, 2002 City Council Regular Meeting.

Approving Request of Ryan and Lisa Crouch, 2231 West 11th Street, for Conditional Use Permit for Temporary Placement of a Trailer House Located at 541/531 Midaro Drive.

#2002-230 - Approving Acquisition of Utility Easement – 231 South Locust Street, Hall County

#2002-231 - Approving Acquisition of Utility Easement – 3133 West Highway 34, Stuhr Museum

#2002-232 - Approving Acquisition of Public Utility Easement Along Wildwood Drive on South Side of Platte Valley Industrial Park

#2002-233 - Approving Acquisition of Public Utility Easement in Lot Three (3), Pedcor Subdivision

#2002-234 - Approving Acquisition of Public Utility Easements in Ponderosa Lake Estates Subdivision

#2002-236 - Approving Adoption of Official Zoning Map as a Result of Annexation

#2002-237 - Approving Budget for Business Improvement District #4 and Setting Date for Board of Equalization

#2002-238 - Approving Interlocal Agreement with Hall County for South Locust Street Lighting at Schimmer Drive and Wildwood Drive

#2002-239 - Approving Continuation and Construction of Water Main District 440, Robert, Gretchen, and Del Mar Avenues

#2002-240 - Approving Bid Award for Precipitator and Inlet Duct Modifications – Platte Generating Station with TIC Industrial Company, Steamboat Springs, Colorado in an Amount of \$272,850.00.

#2002-241 - Approving Bid Award for Installation of Greenhouse with Stuppy Greenhouse Manufacturing Company, North Kansas City, Missouri in an Amount of \$27,475.00.

#2002-242 - Approving Utility Property Farm Lease – Farm #17 with Mike Lilienthal.

#2002-243 - Approving Change Order #1 for Galvanized Chain Link Fence and Gates – PGS for an Increase of \$2,846.87 and an Adjusted Contract Amount of \$131,451.12.

#2002-244 - Approving Continuation of Sanitary Sewer District 506, 543’ of Lillie Drive West of North Road.

#2002-245 - Approving Bid Award for Sandblasting/Painting Island Oasis Water Park with HEG Painting Company, Cherokee, Iowa in an Amount of \$59,163.00.

#2002-246 - Approving Certificate of Final Completion for the Webb Road Athletic Field Grading with Dobesh Land Leveling, Grand Island, Nebraska.

#2002-247 - Approving Change Order #2 for the Grand Island Wading Pools with Tri-Valley Builders, Inc., Grand Island for a Net Increase of \$3,778.95 and a Revised Contract Amount of \$690,642.95.

#2002-248 - Approving Bid Award for Precipitator and Duct Cleaning – Platte Generating Station with W-S Industrial Services, Inc., Council Bluffs, Iowa in an Amount of \$55,350.00.

#2002-249 - Approving Contract for Engineering Services for Sucks Lake Enhancement and Restoration Project with Olsson Associates, Grand Island, Nebraska in an Amount of \$32,591.00.

#2002-235 – Approving Acquisition of Right of Way for Hike/Bike Trail Adjacent to St. Joe Railroad Track.

#2002-251 - Approving Bid Award for Amateur Radio Repeater and Accompanying Communications Equipment (Repeaters) with TX RX Systems, Inc., Angola, New York in an

Amount of \$4,719.72. Cindy Johnson, Community Projects Director, explained the purpose of this purchase. Sam Stelk, 1218 Plantation Place spoke in support.

REQUESTS AND REFERRALS:

Request of Lee Meents for Approval of Manufactured Home Park Permit at 3842 W. Old Highway #30: Lee Meents spoke in support. 12 letters in opposition were received by the City Clerk's Office. The following individuals spoke in opposition:

Richard Enevoldsen of 1616 Jerry Drive
Theresa Webben, 1610 Jerry Drive
Dorothy Aubushon, 3921 Reuting Road
Mary Enevoldsen, 1616 Jerry Drive
Doug Riedy, 3928 Reuting Road
Diane Johnson, 1616 Virginia Drive
Michael Jaeger, 1717 Virginia Drive

Motion by Pielstick to deny the request, second by Hornady. Motion carried unanimously.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Haase, carried unanimously to approve the Claims for the period of July 24, 2002 through August 13, 2002, for a total amount of \$5,222,869.97.

ADJOURN TO EXECUTIVE SESSION: Motion by Larson, second by Hornady, carried unanimously to adjourn to executive session at 8:45 p.m. to discuss Union Negotiations and Personnel Issues.

RETURN TO REGULAR SESSION: Motion by Hornady, second by Murray, carried unanimously to return to Regular Session at 9:36 p.m.

REVIEW OF PROPOSED FY2002-2003 ANNUAL BUDGET. Utilities Director Gary Mader made a presentation regarding the Electric and Water Utilities. City Administrator Marlan Ferguson recommended expenditures for charitable agencies to remain the same as last fiscal year. Finance Director David Springer reported on changes to the proposed budget and the effect on the 2003 budgeted cash reserve. Because budget issues have been covered, City Administrator Marlan Ferguson announced that the Budget Work Session originally scheduled for Wednesday, August 14 at 5:30 p.m. was now canceled.

ADJOURNMENT: The meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Cindy Brozek
Deputy City Clerk