



City of Grand Island

Tuesday, January 28, 2003

Council Session

Item G2

Approving Minutes of January 14, 2003 City Council Regular Meeting

*The Minutes of January 14, 2003 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

January 14, 2003

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 January 14, 2003. Notice of the meeting was given in the Grand Island Independent on January 8, 2003.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Larson, Nickerson, Seifert, Pauly, Hornady, Walker and Haase. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Public Works Director Steve Riehle, City Attorney Doug Walker and Finance Director David Springer.

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Reverend Erin Curtis, First Christian Church, 2400 West 14th Street.

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

PRESENTATIONS AND PROCLAMATIONS:

"It's About Kids!" Presentations by Kate Stump and Sarah Wirth. Youth Leadership Tomorrow, "Its About Kids!" assets were presented by Kate Stump and Sarah Wirth.

Presentation by Herb Worthington Regarding Playground at Stolley Park. Herb Worthington updated the Council with regards to the Playground Project at the site of the former Heritage Zoo. Donations to date were 25% of the \$125,000 to be raised.

Presentation by KPMG Relative to Fiscal Year 2002 Electric and Water Audit Reports. Tom Helligso representing KPMG, presented the Independent Auditors' Report of the Financial Statements relative to the City of Grand Island Electric Department and Water Department, for the year ended September 30, 2002. No major issues were noted in the audits.

Presentation by Clean Community Services Regarding Hazardous Waste Collection Report. Julie Frandsen representing the Clean Community Services presented the Hazardous Waste Collection Report.

Mayor Vavricek updated the Council on the Nebraska Army National Guard helicopter facility looking to locate either in Grand Island or Kearney.

PUBLIC HEARINGS:

Public Hearing on Request of Myriam E. Maldonado dba Latin American Grocery Store, 602 West 4th Street, for Class "C" Liquor License. This item was pulled at the request of the applicant.

Public Hearing on Acquisition of Utility Easement Located West of Adams Street and Fonner Park Road. (Jerome W. and Doralene F. Niedfelt) Gary Mader, Utilities Director reported that acquisition of a utility easement located west of Adams Street and Fonner Park Road, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate underground primary cable and pad mounted transformer to serve a new customer. No public testimony was heard.

Public Hearing on Request of Raymond Paulsen, 904 12th Avenue, St. Paul, Nebraska for Conditional Use Permit for Placement of Singlewide Manufactured Home at 4745 North Gunbarrel Road. Craig Lewis, Building Department Director reported that Raymond Paulsen, 904 12th Avenue, St. Paul, Nebraska, had submitted an application with the City Clerk's Office for a Conditional Use Permit to allow for permanent placement of a singlewide manufactured home located at 4745 North Gunbarrel Road. The Manufacture home would replace an older site built home recently removed from the property. The property was currently zoned A-G Agricultural Zone and as such manufactured homes were not permitted. The one exception was with Council approval. A manufactured home on a permanent foundation would be permitted provided, (1) the applicant demonstrates that compliance with the Zoning Ordinance would cause hardship or could not be achieved without excessive expense; and (2) that the applicant had complied with all other relevant sections of the Grand Island City Code; and (3) the applicant had not willfully and intentionally sought to circumvent or avoid compliance with the Grand Island Zoning Ordinance. Steve Dowding, Attorney, representing the applicant spoke in support. No further public testimony was heard.

Public Hearing on Application for Community Development Block Grant Revolving Loan Funds. Cindy Johnson, Community Projects Director reported that on June 13, 1994, the City of Grand Island created a Community Development Block Grant Revolving Loan Fund for the purpose to enhance Economic Development opportunities to eligible businesses. The fund balance was \$183,609 and was a result of loan payments on a previously awarded CDBG loan project. On December 17, 2002, the City Council approved an Agreement with Case New Holland, City of Grand Island, Department of Economic Development and Local Financial Institutions for an economic development incentive package. This agreement referenced the City's potential award of Community Development Block Grant funds. An application in the amount of \$150,000 had been received from Case New Holland to assist with the purchase of laser equipment to be used in the fabrication of metal for the combine operations. The City's Revolving Loan Fund Committee met on December 11, 2002 to consider the application. The Committee recommended approval of the request for \$150,000 based on the criteria "to stop leakage of dollars from leaving the community". Case New Holland was providing \$323,000 in matching funds for a total project cost of \$473,000. In the event Case New Holland fully satisfies certain job performance targets and does not relocate the Grand Island manufacturing facility

during the relocation period, the loan would be deemed wholly satisfied and forgiven. No public testimony was heard.

ORDINANCES:

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

#8790 - Consideration of Conveyance of Property in the Platte Valley Industrial Park
(Randall and Jean Kathman)

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

Mayor: Is there any one in the audience interested in these ordinances? Monty Montgomery, President of the Economic Development Corporation spoke in support. No further public testimony was heard.

City Clerk: Ordinance #8790 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #8790 on final passage. All those in favor of the passage of this ordinance 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, Ordinance #8790 is declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Agenda items G-5 and G-6 were removed from the Consent Agenda. Motion by Larson, second by Hornady, carried unanimously to approve the Consent Agenda excluding items G-5 and G-6.

Receipt of Official Document – Tort Claim Submitted by Nancy E. Fisher.

Approving Minutes of December 17, 2002 City Council Regular Meeting.

Approving Minutes of January 7, 2003 City Council Special Meeting.

Approving Minutes of January 7, 2003 City Council Study Session.

Approving Request of Myriam E. Maldonado dba Latin American Grocery Store, 602 West 4th Street, for Class “C” Liquor License. This item was pulled from the agenda at the applicant’s request.

Approving Request of Marlene K. DeLeon, 404 West 12th Street for Liquor Manager Designation for Eagles Frat Order #378, 213 North Sycamore. This item was pulled from the agenda at the applicant's request.

Approving Request of Brice A. Wood, 3720 State Street, Apt. L1 for Liquor Manager Designation for Nebraska Steak Co., dba Whiskey Creek Steakhouse, 3537 West 13th Street.

Approving Request of Raymond Paulsen, 904 12th Avenue, St. Paul, Nebraska for Conditional Use Permit for Placement of Singlewide Manufactured Home at 4745 North Gunbarrel Road. Discussion was held as to the time limit. Craig Lewis, Building Department Director stated that it was for an indefinite time limit.

#2003-2 – Approving Acquisition of Utility Easement West of Adams Street and Fonner Park Road. (Jerome and Doralene Niedfelt)

#2003-3 – Approving Agreement for Warranty Deed with Randall and Jean Kathman for Property at the Platte Valley Industrial Park.

#2003-4 – Approving Bid Award for (2) Police Motorcycles with Harley-Davidson Central of Grand Island, Nebraska in an Amount of \$14,334.95 per unit.

#2003-5 – Approving Addendum to SCLAES Contract to Include Dawson County.

#2003-6 – Approving Final Plat and Subdivision Agreement for Hann's Fifth Subdivision. It was noted that Tommy Ummel, Jr, owner, had submitted the final plat for Hann's Fifth Subdivision, located West of Pine Street, and North of Koenig Street for the propose to resubdivide Lot 4, Block 4, Hann's Second Addition into 2 lots.

#2003-7 – Approving Final Plat and Subdivision Agreement for GIAHFH Subdivision. It was noted that Tom Timmerman, Site Selection Chair, had submitted the final plat for GIAHFH Subdivision, located North of 5th Street and West of Vine Street for the propose to resubdivide Lot 7, Block 22, Original Town and its complement Lot 7, Block 22, Nagy's Addition into 2 lots.

#2003-8 – Approving Bid Award for Wellfield Collection Basin Modifications with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$174,989.00.

#2003-9 – Approving Change Order #1 for Generator Excitation Control Equipment with GE Global Control Services of Loveland, Colorado for an Increase of \$62,834.00 and a Revised Contract Amount of \$197,214.00. Councilmember Pielstick voted no.

#2003-10 – Approving Change Order #1 for Turbine Control System Equipment with GE Global Control Services of Loveland, Colorado for an Increase of \$58,412.00 and a Revised Contract Amount of \$463,412.00. Councilmember Pielstick voted no.

#2003-11 – Approving Installation of Stop Signs on 13th Street at North Road.

#2003-12 – Approving Installation of Stop Signs on Old Potash Highway at North Road.

#2003-13 – Approving Change Order No. 1 for Sanitary Sewer District #499 in the Platte Valley Industrial Park with Starostka Group of Grand Island, Nebraska for an Increase of \$25,205.00 and a Revised Contract Amount of \$565,749.26. Councilmember Pielstick voted no.

#2003-14 – Approving Application for Community Development Block grant Revolving Loan Fund. Councilmember Seifert abstained.

#2003-15 – Approving Certificate of Final Completion for Aerial Photography and Aerial Mapping Contract 2002-AM-1 with Surdex Corporation of St. Louis, Missouri.

#2003-16 – Approving Amendment to Agreement with CH2M Hill of Englewood, Colorado for Consulting Engineering Services at the Wastewater Treatment Plant in an Amount of \$30,100.

#2003-17 – Approving Agreement for Acquisition of Right of Way Located in the SW1/4 of Section 13-11-10 (Along the East Side of North Road, North of Old Potash Highway)

#2003-18 – Approving Amendment to the City of Grand Island Fee Schedule.

#2003-19 – Approving Contract Award for Demolition and Removal of Buildings at Former CAAP Site with Third Party Environmental of Grand Island, Nebraska in an Amount of \$37,645.00.

RESOLUTIONS:

#2003-21 – Approving City Council Meeting Schedule for 2003. City Administrator Marlan Ferguson reported that at the December 17, 2002 City Council Regular Meeting, this item was tabled for further review and discussion was held at the January 7, 2003 Special Meeting. The request was made to change the council meeting dates back to Monday nights. The City Clerk had prepared two proposals for the 2003 meeting schedules, one proposal for Monday nights (Resolution #2003-20) and one proposal for Tuesday nights (Resolution #2003-21).

Motion was made by Councilmember Whitesides, second by Nickerson to approve Resolution #2003-21. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Nickerson, Seifert, Pauly, Walker, and Haase voted aye. Councilmembers Larson and Hornady voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Haase, carried unanimously to approve the Claims for the period of December 18, 2002 through January 14, 2003, for a total amount of \$3,543,366.10.

ADJOURNMENT: The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk