



City of Grand Island

Tuesday, February 04, 2003

Council Session

Item G2

Approving Minutes of January 28, 2003 City Council Regular Meeting

*The Minutes of January 28, 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 28, 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 28, 2003. Notice of the meeting was given in the Grand Island Independent on January 22, 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, Walker and Haase. Councilmember Hornady was absent. 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 Pastor Cheryl Lamb, First Presbyterian Church, 2103 West Anna Street.

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

PRESENTATIONS AND PROCLAMATIONS:

"It's About Kids!" Presentation by Liz Stinson. Youth Leadership Tomorrow, "Its About Kids!" asset was presented by Liz Stinson.

ADJOURN TO BOARD OF EQUALIZATION: Motion by Pielstick, second by Walker, carried unanimously to adjourn to the Board of Equalization.

#2003-BE-1 – Determining Benefits for Sidewalk District 1, 2002. Motion by Pielstick, second by Whitesides, to approve Resolution #2003-BE-1, carried unanimously.

#2003-BE-2 – Determining Benefits for Street Improvement District #1234, Juergen Road in the Platte Valley Industrial Park. Motion by Pielstick, second by Whitesides, to approve Resolution #2003-BE-2, carried unanimously.

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

PUBLIC HEARINGS:

Public Hearing on Acquisition of Right of Way from Indianhead Golf Club, L.L.C. Located on North Road in the SE1/4 of Section 26-11-10. Steve Riehle, Public Works Director reported that a public hearing and council approval was required for all right-of-way acquisitions. Dedication of a 40' wide right-of-way strip adjacent to North Road was overlooked when the Indianhead Seventh Subdivision was platted and approved. Holding a public hearing and approving the acquisition of this right-of-way would remedy the oversight during the platting process. 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 ordinances numbered:

#8791 - Consideration of Assessments for Sidewalk District 1, 2002

#8792 – Consideration of Assessments for Street Improvement District #1234, Juergen Road in the Platte Valley Industrial Park

#8793 – Consideration of Amendment to Chapter 13 of the Grand Island City Code Relative to Downtown Improvement and Parking District Annual Tax

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 Seifert 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 #8791, #8792, and #8793 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: Ordinances #8791, #8792, and #8793 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 #8791, #8792, and #8793 are declared to be lawfully passed and adopted upon publication as required by law.

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

Receipt of Official Document – Civil Service Minutes of November 7, 2002.

Approving Minutes of January 14, 2003 City Council Regular Meeting.

#2003-22 – Approving Acquisition of Right of Way From Indianhead Golf Club, L.L.C., Located on North Road in the SE1/4 of Section 26-11-10.

#2003-23 – Approving Certificate of Final Completion for Sanitary Sewer District #499, Platte Valley Industrial Park.

#2003-24 – Approving Agricultural Deferral of Assessments in Sanitary Sewer District #499 and Street Improvement District #1234. (Louis and Virginia Graham)

#2003-25 – Approving Certificate of Final Completion for Electrical System Improvements at the Wastewater Treatment Plant.

#2003-26 – Approving Certificate of Compliance with the Nebraska Department of Roads for Maintenance Agreement 12 for the Previous Calendar Year.

#2003-27 – Approving Renewal of Maintenance Agreement No., 12 with the State of Nebraska Department of Roads.

#2003-28 – Approving Bid Award for One (1) Minimum 44, 000 GVW Dump Truck for the Street Division, Public Works Department with Nebraska Truck Center of Grand Island, Nebraska in an Amount of \$60,886.00.

#2003-29 – Approving Bid Award for One (1) Minimum 26,000 GVW Salt/Sand Truck for the Street Division, Public Works Department with Nebraska Truck Center of Grand Island, Nebraska in an Amount of \$52,143.00.

#2003-30 – Approving Bid Award for Street Sweeper for the Street Division, Public Works Department with EDM Equipment Company of Lincoln, Nebraska in an Amount of \$110,607.00.

#2003-31 – Approving Bid Award for One Utility Tractor for the Street Division, Public Works Department with Fairbanks Grand Island of Grand Island, Nebraska in an Amount of \$40,950.00.

#2003-32 – Approving Grant Application to the US Department of Justice on Behalf of the Crisis Center for Safe Haven.

#2003-33 – Approving Continuation of Confidentiality Agreement for Electric Generation – MEAN/HU Project.

#2003-34 – Approving Change Order #3 for General Contract Work – Burdick Station GT-2 and GT-3 Combustion Turbine Project with The Industrial Company of Steamboat Springs, Colorado for an Increase of \$325,537.00 and Modified Contract Amount of \$12,312,050.42. Councilmember Pielstick voted no.

#2003-35 – Approving Agreement for Grant Funding for Exercise Equipment – Fire Department.

#2003-36 – Approving Renewal of Contract with Fonner Park Relative to Stand-By Ambulance.

#2003-37 – Approving Support for Establishing a Base for the Nebraska Army National Guard Apache Helicopter Unit. Mayor Vavricek explained the importance of this issue and that on February 13, 2003 the National Guard would be in Grand Island to receive the City's proposal. It was mentioned that possibly by the first week of March the National Guard would have a decision made.

REQUESTS AND REFERRALS:

Approving Referral of One and Six Year Street Improvement Plan to the Regional Planning Commission. Steve Riehle, Public Works Director reported that adoption of a One and Six Year Street Improvement Program was required by State law as part of the requirements to receive approximately three million dollars of state gas tax funds each year.

Mr. Riehle stated one major project for the year 2003 construction season related to the improvements on South Locust Street. The improvements from Highway 34 to Stolley Park Road had been completed and were now preparing for improvements between Stolley Park Road and Fonner Park Road. This project included concrete patching, concrete driveways, asphalt resurfacing, roadway and pedestrian lighting, storm drainage, sidewalks and landscaping. Construction for the Wood River Floodway project would be completed this year. Other roadway improvements in 2003 included right-of-way acquisition and commencement of roadway construction for Independence Avenue, and the paving of Gold Core Road (1 mile) in the Platte Valley Industrial Park.

The Nebraska Department of Roads was building the Locust Street I-80 interchange, with completion scheduled in 2004. Some significant projects beyond the 2003 construction season included the widening of Stolley Park Road from Locust Street to the Fonner Park Events Center entrance, and the continuation of various segments of the Hiker/Biker trail construction. Also planned during this period was the construction of two northbound bridges on Locust Street over the Platte River channels, and the commencement of roadway construction for the northbound lanes of Locust Street between the I-80 interchange and the south city limits. The continuation of the four-lane roadway construction on East Highway 30 from Stuhr Road to the Merrick County line was scheduled for 2004 or 2005.

Motion by Larson, second by Walker, to refer the One and Six Year Street Improvement Program to the Regional Planning Commission for their review at their February 5, 2003 meeting. Unanimously approved.

Request of Gary Smith to Amend Subdivision Agreement for Lot 2, Clark Brothers Subdivision by Eliminating Requirement to Connect to Public Water and Sanitary Sewer. Steve Riehle, Public Works Director reported that when the area was subdivided, the Subdivision was platted per the design of the subdivider, and infrastructure hookups were agreed to by all parties. Gary Smith had requested that the City amend the Subdivision agreement to allow them to build upon lot number 2 without hooking to City water and sewer main.

In 1996, Council made the extension of water and sewer systems to all areas of the City one of its primary goals. The City had made a focused effort to meet that goal over the last seven years, spending substantial monies for system extensions. This request was in opposition to the Council's intent to have municipal water and sewer service to all properties in the City. Public Works, Utilities and Building Departments recommend that Council deny the request.

Mr. Riehle state that if the request was denied, the Subdivision agreement stands as is. If the request were approved, staff would bring an amendment to the Subdivision forward for Council's consideration at the next Council meeting.

Motion by Seifert, second by Whitesides, to approve this request. A lengthy discussion was held concerning connecting to City water and sewer. The cost for Mr. Smith to connect was approximately \$36,000. Council discussed extending the current agreement for 5 years. John Amick, 410 Amick Avenue, Doniphan representing Gary Smith spoke in support. Councilmember Seifert offered a friendly amendment to include a 5-year extension to the subdivision agreement to hook up to City sanitary sewer and water. Councilmember Whitesides agreed to the amendment. Gary Smith stated he approved with the amended motion.

Upon roll call vote, Councilmembers Whitesides, Larson, Nickerson, Seifert, Pauly, Walker and Haase voted yes. Councilmembers Meyer and Pielstick voted no. Motion adopted.

RESOLUTIONS:

#2003-38 – Approving Change of City Council Meeting Dates for the Months of February and March 2003. City Administrator Marlan Ferguson reported that on January 14, 2003, City Council approved Resolution #2003-21 setting the City Council meeting dates for 2003. The February and March Regular Meetings were scheduled for the 11th and 25th for both months and the Study Sessions were scheduled for the 4th and 18th for both months. It had been recommended that the following changes be made to the City Council meeting schedule:

- February 4, 2003 - Regular Meeting
- February 11, 2003 - Study Session
- February 18, 2003 - Regular Meeting
- February 25, 2003 – Cancelled
- March 4, 2003 - Regular Meeting
- March 11, 2003 – Cancelled
- March 18, 2003 - Regular Meeting
- March 25, 2003 - Study Session

This would allow Council members and staff to attend the League of Nebraska Municipalities Midwinter Conference on February 24th & 25th and the Chamber Banquet on the evening of February 25th. This would also allow Council members to attend the National League of Cities Congressional Conference in Washington, D.C. on March 11th.

Motion by Seifert, second by Whitesides. Unanimously approved.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Haase, carried unanimously to approve the Claims for the period of January 15, 2003 through January 28, 2003, for a total amount of \$2,755,141.36.

ADJOURNMENT: The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk