



City of Grand Island

Tuesday, August 12, 2003

Council Session

Item G2

Approving Minutes of July 22, 2003 City Council Regular Meeting

The Minutes of July 22, 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

July 22, 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 July 22, 2003. Notice of the meeting was given in the Grand Island Independent on July 16, 2003.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Seifert, Pauly, Hornady, Walker and Haase. Councilmember Nickerson 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 Reverend Dominic Pecoraro, First Church of the Nazarene, 1022 West 6th Street.

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

PRESENTATIONS AND PROCLAMATIONS:

Recognition of the Nebraska Sports Baseball Team for Winning the State Championship Title for 13 and Under Age Group and Placing 5th at National's. Mayor Vavricek recognized the Nebraska Sports Baseball Team and their coaches for their win at state and national's.

PUBLIC HEARINGS:

Public Hearing on Amendment to Community Redevelopment Authority (CRA) Redevelopment Plan and Authorizing Tax Increment Financing for Renovation of Facility at 208 North Pine Street. Doug Walker, City Attorney reported that at the June 3, 2003 meeting of the Community Redevelopment Authority, the CRA adopted Resolution #48 providing for an amendment to the Redevelopment Plan for Blight and Substandard Area #1, approving a redevelopment contract and giving notice of intent to enter into a redevelopment contract.

A local development company, Procon, was redeveloping the property at 208 North Pine Street for use as an office building. The former City Hall had been vacant since October 1993. CRA Resolution #48 was provided to the City Council in the June 24, 2003 Agenda Packet. The proposed redevelopment contract provided for the use of tax increment financing for the redevelopment project. Tax increment financing was a mechanism whereby the increased property taxes for the improved property were used to pay for the improvements. The anticipated tax increment financing for this project was \$169,267.00. State Statutes require that amendments

to the Redevelopment Plan, to address specific projects, be considered by the Community Redevelopment Authority and Regional Planning Commission, in addition to the City Council. The Regional Planning Commission considered the Amendment at their meeting of July 2, 2003 and recommended approval. Notification of the proposed Amendment and Redevelopment Project was provided to all taxing entities and appropriate neighborhood associations.

Bruce Schreiner, 3535 Grassridge Drive and Cindy Johnson, President of the Chamber of Commerce spoke in support. John Luna, 712 East 8th Street spoke in opposition. No further public testimony was heard.

Public Hearing on Amendment to the RD Zone Final Development Plan for Pedcor Property. Chad Nabity, Planning Director reported that Pedcor Investments, as the owner was requesting an amendment to the RD Zone and Final Development Plan for the property located west of Highway 281 and north of Highway 34. This application proposed to amend the Final Development Plan for the Riverbend Apartments to include a small building for the water meter and roofed structure for the mailboxes on the site. The Regional Planning Commission at their regular meeting held July 2, 2003 unanimously voted to approve and recommend the Grand Island City Council approve this amendment to the Final Development Plan. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 4940 Goldcore Drive. (NECO PCS dba Nebraska Wireless Telephone Company) Gary Mader, Utilities Director reported that acquisition of a utility easement located along the north line of property located at 4940 Goldcore Drive, 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 a pad mounted transformer. No public testimony was heard.

ORDINANCES:

Motion was made by Pielstick, to approve Ordinance #8819 on Final Reading, second by Whitesides. Upon roll call vote, all voted aye. Motion adopted.

#8819 – Consideration of Annexation of Property Being Platted as Secundino Subdivision (Final Reading)

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

#8826 – Consideration of Creating Sanitary Sewer District #510, American Independence and Western Heights Subdivisions

#8827 – Consideration of Amendment to the final Development Plan for the Pedcor Property

#8830 – Consideration of Adopting Economic Development Plan

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 comment was heard.

City Clerk: Ordinances #8826, #8827, and #8830 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 #8826, #8827, and #8830 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.

Motion was made by Pielstick, second by Hornady to approve Ordinance #8828.

#8828 – Consideration of Changes to the Grand Island City Code Relative to Parking

Terry Hahn, 888 Eilenstine Road spoke in opposition, Earl Hubbard, 07 Navajo Drive spoke concerning equal treatment, and Lewis Kent, 624 East Meves Avenue spoke in support and would like to see more enforcement.

City Clerk: Ordinance #8828 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Seifert, Pauly, Hornady, and Haase voted aye. Councilmember Walker voted no. Motion adopted.

City Clerk: Ordinance #8828 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Seifert, Pauly, Hornady, and Haase voted aye. Councilmember Walker voted no. Motion adopted.

Motion was made by Whitesides, second by Seifert to deny Ordinance #8829.

#8829 – Consideration of Temporary Moratorium Relative to Commercial Signs

Craig Lewis, Building Department Director and Chad Nabity, Planning Department Director spoke concerning the placement of signs and time frame of the moratorium. Mary Lee, 508 North Whites Avenue spoke in support. June O'Neill, 1002 Shady Bend Road and Holly Eckhout, Amherst, Nebraska spoke in opposition.

Upon roll call vote to deny Ordinance #8829, all voted no. Motion failed.

Motion by Pielstick, second by Seifert to approve Ordinance #8829.

City Clerk: Ordinance #8829 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 #8829 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, Ordinances #8826, #8827, #8828, #8829, and #8830 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Seifert, second by Whitesides, carried unanimously to approve the Consent Agenda. Upon roll call vote, all voted aye.

Receipt of Official Document – Resignation Letter of Larry Seifert. Councilmember Seifert abstained.

Receipt of Official Document – Tort Claim Filed by Tim and Mary Arends.

Approving Minutes of July 8, 2003 City Council Special Meeting. Councilmember Gilbert abstained.

Approving Minutes of July 8, 2003 City Council Regular Meeting. Councilmember Gilbert abstained.

Approving Minutes of July 15, 2003 City Council Special Meeting. Councilmember Gilbert abstained.

Approving Minutes of July 15, 2003 City Council Study Session.

Approving Request of Sherry McKevitt, 800 Center Street, Wolbach, Nebraska for Liquor Manager Designation for Eagles Frat Order 378, 213 North Sycamore Street.

#2003-200 – Approving Bid Award for Cooling Tower Fan Motor VFD's at Platte Generating Station with Crescent Electric of Grand Island, Nebraska in an Amount of \$122,035.40.

#2003-203 – Approving final Plat and Subdivision Agreement for Secundino Subdivision. It was noted that Timothy Burke, owner, had submitted the final plat for Secundino Subdivision, located north of Capital Avenue and west of Sky Park Road. This plat proposed to create 3 lots on a currently unplatted parcel of land in the E 1/4 SE 1/4 Section 4, Township 11, Range 9.

#2003-204 – Approving Amendment to Community Redevelopment Authority (CRA) Redevelopment Plan and Authorizing Tax Increment Financing for Former City Hall Redevelopment. Councilmember Pielstick voted no.

#2003-205 – Approving Acquisition of Utility Easement Located at 4940 Goldcore Drive. (NECO PCS dba Nebraska Wireless Telephone Company)

#2003-206 – Approving Bid Award for 500 MCM Power Cable with WESCO of Grand Island, Nebraska in an Amount of \$167,162.40.

#2003-207 – Approving Bid Award for Installation of Circuit Breakers with E.A. Pedersen Company of Omaha, Nebraska in an Amount of \$1,229,344.00.

#2003-208 – Approving Bid Award for Haz Mat Equipment with Elvin Safety Supply of Omaha, Nebraska in an Amount of \$43,734.62; Mid Continent Safety of Omaha, Nebraska in an Amount of \$492.40; Municipal Emergency Services of Snyder, Nebraska in an Amount of \$1,001.00; Heiman Fire Equipment of Ashton, Iowa in an Amount of \$34,181.00; Angel Guard Products of Worchester, Massachusetts in an Amount of \$1,095.00; Fire Guard Inc. of Omaha, Nebraska in an Amount of \$6,441.29; Ed M. Feld Equipment Company of Carroll, Iowa in an Amount of \$7,152.00; and Search Systems Inc. of Bakersfield, California in an Amount of \$23,130.01.

#2003-209 – Approving Certificate of Final Completion with Chippewa Northwestern Railway Co. of Lincoln, Nebraska for Rebuilding Railroad Track at Stolley Park.

#2003-210 – Approving Certificate of Final Completion with Platte Valley Construction Company LLC of Grand Island, Nebraska for Drainage Project 2002-D-2.

#2003-211 – Approving Bid Award for Street Improvement District #1246, South Locust Street from Stolley Park Road to Fonner Park Road with Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$1,820,276.72.

#2003-212 – Approving Continuation of Street Improvement District #1248, Faidley Avenue from the Moore's Creek Drainway East Towards Diers Avenue.

#2003-213 – Approving Intersection Changes for Traffic Control at the Intersection of Seedling Mile Road and Seedling Mile Access Road.

#2003-214 – Approving FY 2003-2004 Annual Budget for Business Improvement District #3, South Locust Street from Stolley Park Road to Highway 34, and Setting Date for Board of Equalization.

#2003-215 – Approving FY 2003-2004 Annual Budget for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road, and Setting Date for Board of Equalization.

#2003-216 – Approving FY 2003-2004 Annual Budget for Business Improvement District #5, Downtown, and Setting Date for Board of Equalization.

#2003-217 – Approving Contract with Kenexa Corporation of Lincoln, Nebraska in an Amount of \$30,000.00 for City Administrator Recruitment. Mark Moravec, 2804 Kingston Drive representing Associated Staffing spoke in opposition. Lewis Kent, 624 East Meves Drive asked the Council to use extreme caution when replacing this position.

REQUESTS AND REFERRALS:

Request of Walter Mauch for Permission to Use Memorial Park for a One-Day Petting Zoo and Animal Exposition. This item was pulled from the Agenda at the request of Walter Mauch.

David Springer, Finance Director briefly explained sections in the proposed budget book that would be reviewed at next weeks budget hearing.

PAYMENT OF CLAIMS:

Motion by Seifert, second by Haase, carried unanimously to approve the Claims for the period of July 9, 2003 through July 22, 2003, for a total amount of \$3,452,795.6.

ADJOURNMENT: The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk