



City of Grand Island

Tuesday, August 26, 2003

Council Session

Item G2

Approving Minutes of August 12, 2003 City Council Regular Meeting

*The Minutes of August 12, 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

August 12, 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 August 12, 2003. Notice of the meeting was given in the Grand Island Independent on August 6, 2003.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Seifert, Pauly, Hornady, Walker and Haase. The following City Officials were present: City Administrator Marlan Ferguson, Deputy City Clerk Cindy Brozek, 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 Rob Inge, Harvest Time Baptist Church, 1125 North Beal Street.

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

PRESENTATIONS AND PROCLAMATIONS:

Presentation of Grant Award from NDEQ and NE State Lottery for Improvements to Sucks Lake. Rick Edens, Urban Fishery Specialist for the Nebraska Department of Environmental Quality presented to Parks and Recreation Director Steve Paustian and Mayor Vavricek a check for \$300,000.00 for the improvements made at Sucks Lake. The funding helped provide for dredging, storm sewer modification, bank stabilization and engineering costs associated with the entire project.

Presentation of CDBG Award for Owner Occupied Rehabilitation Grant.

Mayor Vavricek presented Jeri Garrouette with a check for \$270,400 in Community Development Block Grant funds for rehabilitating 10-12 existing owner-occupied homes.

Presentation by Philip Geissal Concerning the Heartland Events Center Campaign. Philip Geissal, Resident Director of Fund Raising for the Heartland Events Center Campaign gave the Mayor and Council an update on the Heartland Events Center campaign.

SPECIAL ITEMS:

Discussion Concerning the Police Department Budget. Police Chief Kyle Hetrick discussed the Police Budget with Council. Councilmember Nickerson moved that the 2003-2004 Police Department Budget be approved, stipulating that Spillman be fully operational by the last City

Council meeting in April, allowing the Council to exercise its ability to cancel the contract with a 90 day notice. Second by Meyer. Whitesides and Pielstick voted no. Motion carries..

PUBLIC HEARINGS:

Public Hearing on Proposed Use of Local Law Enforcement Block Grant Funds. Police Chief Kyle Hetrick reported that the Grand Island Police Department was eligible for federal Local Law Enforcement Block Grant (LLEBG) funds annually. This year, the award was \$27,409.00. Because of Hall County being federally designated as a “disparate community”, 25% of the funds would be awarded to the Hall County Sheriff’s Office. The city’s 9% match of \$1,665.10 comes to \$20,166.18. The grant funds could only be used for police equipment costs. There was a federal mandate that required a public hearing regarding the dispersing of the block grant funds. Additionally, a grant advisory board was required to meet to discuss allocation of the funds. In August of 2003, members of the grant advisory board consisting of Dr. Kent Mann, Jerry Janulewicz, Carol Castleberry, Charlotte Lanhdorf, and Chief Hetrick discussed the 2003 grant. The grant funds were tentatively allocated for the following: portable radios, replace radio batteries, and replacement batteries for patrol officers rechargeable flashlights. As in years past, Chief Hetrick proposed that not all of funds be specifically earmarked because of unforeseen equipment needs. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1204 Allen Drive. (Exchange Bank). Assistant Utility Director Tim Luchsinger reported that acquisition of a utility easement located at 1204 Allen Drive, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used for a pad-mounted transformer to serve electricity to their new building. No public testimony was heard.

Public Hearing on Amending the Economic Development Plan City Attorney, Doug Walker reported that Nebraska Statutes require a public hearing to amend the Economic Development plan voted in by Grand Island voters in May. The change to the plan would take out references to Community Projects Director and replace them with City Administrator or his/her designee. No public testimony was heard.

ORDINANCES:

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

#8831 – Consideration of Salary Ordinance

#8832 – Consideration of Amending the Economic Development Plan

#8833 - Consideration of Repealing and Replacing Ordinance #8825 Regarding Vacation of the Plat for North Fork Subdivision

#8834 – Consideration of Amending City Sign Code to Allow for Additional Signage for Public Entity.

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. Councilmember Pielstick noted that she would be voting no on #8834. 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 #8831, #8832, #8833, and #8834 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. Councilmember Pielstick voted no on Ordinance #8834.

City Clerk: Ordinances #8831, #8832, #8833, and #8834 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. Councilmember Pielstick voted no on Ordinance #8834.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8831, #8832, #8833, and #8834 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Seifert, second by Walker, carried unanimously to approve the Consent Agenda, with the exceptions of G-12, G-25, and G-27. Upon roll call vote, all voted aye.

Receipt of Official Document – Civil Service Minutes of May 5, 2003. Councilmember Gilbert abstained.

Approving Minutes of July 22, 2003 City Council Regular Meeting. Councilmember Nickerson abstained. Councilmember Nickerson abstained.

Approving Minutes of July 29, 2003 City Council Special Budget Meeting.

Approving Minutes of July 30, 2003 City Council Special Budget Meeting.

Approving Minutes of July 31, 2003 City Council Special Budget Meeting.

Approving Appointment of David Springer as Interim City Administrator.

Approving Appointments of Marv Webb, Richard Willis, Holger Honore, and Joe Carter to the Building Code Advisory Board.

Approving Appointment of Peg Gilbert to Natural Gas Rate Area Representative and Margaret Hornady to Systems Information Advisory Boards.

Approving Request of Fonner Park Exposition and Events Center, Inc., for Ratification of Election of Board of Directors. It was noted that Brian Hamilton, George Wanitschke, Vince Dowding, Hugh Miner, Jr., and John R. Browenell were appointed to the Board of Directors for the Fonner Park Exposition and Events Center, Inc.

#2003-218 - Approving Change to City Council Meeting Dates for September 2003. It was noted that the Study Session date of September 2, 2003 would be changed to September 30, 2003.

#2003-219 - Approving Proposed Use of Local Law Enforcement Block Grant Funds.

#2003-221 - Approving Final Plat and Subdivision Agreement for Back-Bahr Subdivision. It was noted that Jeffrey King, owner, had submitted the final plat for Back-Bahr Subdivision, located west of August Street and north of White Cloud Road for the purpose of developing 1 lot on a currently unplatted parcel of land in the E 1/2 NW 1/4 of 28-11-9.

#2003-222 - Approving Final Plat and Subdivision Agreement for Livengood Second Subdivision. It was noted that Livengood Properties, L.L.C., owners, had submitted the final plat for Livengood Second Subdivision, located north of Seedling Mile and west of Stuhr Road for the purpose to develop 7 lots on a parcel of land in the E 1/2 SE 1/4 of 10-11-9.

#2003-223 - Approving Certificate of Final Completion for Asphalt Maintenance Project 2003-AC-1 with

#2003-224 - Approving Change Order #3 for Phase II and III Downtown Alley Project with for an Increase of \$ and a Revised Contract Amount of \$.

#2003-225 - Approving Certificate of Final Completion of Phase II and III Paving/Storm Sewer Downtown Alley Project with

#2003-226 - Approving Continuation of Street Improvement District #1249, Cannon Road.

#2003-227 - Approving Bid Award for 2004 Truck with Aerial Device with Pacific Utility Equipment Company of Seattle, Washington, in the amount of \$148,741.00 less trade-in of \$13,500.00 for a total of \$135,241.00.

#2003-228 - Approving Bid Award for Coal Storage Retention Pond with in an Amount of \$.

#2003-229 - Approving Change Order #1 for Wellfield Grading with Hooker Brothers Construction Company of Grand Island, Nebraska for an increase of \$320.00 and a Revised Contract Amount of \$25,220.00.

#2003-230 - Approving Continuation and Construction of Water Main District #441 – Faidley Avenue.

#2003-231 - Approving Acquisition of Utility Easement Located at 1204 Allen Drive. (Exchange Bank)

#2003-232 - Approving Interlocal Agreement with Grand Island Public Schools for Development of Shoemaker Park.

#2003-234 - Approving Agreement with the Nebraska Game and Parks Commission for Award of Grant Funding for Construction of Fishing Pier at Sucks Lake.

#2003-220 - Approving Final Plat and Subdivision Agreement for American Independence Subdivision. It was noted that Gary Valasek, owner, had submitted the final plat for American Independence Subdivision, located along the proposed Independence Avenue and north of 13th Street for the purpose of developing 21 lots on a parcel of land in the SE 1/4 SW 1/4 11-11-10. Chad Nabyty made a presentation on the item. Motion by Pielstick, second by Hornady, carried unanimously.

#2003-233 - Approving Interlocal Agreement with Grand Island Public Schools for Development of Softball Fields. Steve Paustian, Parks and Recreation Director discussed the Interlocal Agreement with Council. Motion by Hornady, second by Whitesides to approve the agreement. Councilmember Pielstick and Walker voted no. Motion carried.

#2003-235 - Approving Amendment #3 to Agreement with Olsson Associates for Consulting Engineering Services on South Locust Project. Steve Riehle, Public Works Director discussed the project with the Council. Motion by Hornady, second by Nickerson to approve. Motion carried unanimously.

REQUESTS AND REFERRALS:

Reconsideration of motion from July 29th Council Meeting Regarding Extension of Independence from Manchester Road to 13th Street. Motion by Hornady, second by Gilbert, to rescind the decision made by the City Council at their July 29th Regular Meeting. Motion carried with Meyer, Whitesides, Pielstick and Seifert voting no. Steve Riehle, Public Works Director spoke in regard to the project. Dick Preisendorf, 2020 South August spoke in regard to the item. Motion by Hornady, second by Gilbert to proceed with phase one of the project, and placing the balance of the project, Shanna to Manchester, in the Public Works 1-6 year plan for consideration at a later date. Motion carried unanimously.

PAYMENT OF CLAIMS:

Motion by Seifert, second by Haase, carried unanimously to approve the Claims for the period of July 23, 2003 through August 12, 2003, for a total amount of \$3,221,909.06, with Gilbert abstaining from claim reference #3595.

EXECUTIVE SESSION:

Motion was made by Hornady, second by Pauly, carried unanimously to adjourn to executive session at 9:15 p.m. for the purpose of discussing IBEW Contract Negotiations.

RETURN TO REGULAR SESSION:

Motion by Pielstick, second by Whitesides, carried unanimously to reconvene in regular session at 9:50 p.m.

ADJOURNMENT: Motion by Pielstick, second by Whitesides, carried unanimously to adjourn the meeting. The meeting was adjourned at 9:51 p.m.

Respectfully submitted,

Cindy Brozek
Deputy City Clerk