



City of Grand Island

Tuesday, October 14, 2003

Council Session

Item G2

Approving Minutes of September 23, 2003 City Council Regular Meeting

The Minutes of September 23, 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

September 23, 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 September 23, 2003. Notice of the meeting was given in the Grand Island Independent on September 17, 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, Cornelius, Pauly, Hornady, Walker and Haase. The following City Officials were present: Interim City Administrator David Springer, City Clerk RaNae Edwards, Public Works Director Steve Riehle, and City Attorney Doug Walker.

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Council President Jackie Pielstick.

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

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Larry Christensen, Utilities Line Department for 30 Years of Service with the City. Mayor Jay Vavricek and the City Council recognized Larry Christensen for his 30 years of service with the City as an Electric Distribution Supervisor with the Utilities Line Department. Assistant Utilities Director Bob Smith commented on his service.

Mayor Vavricek introduced Lesley Browne, a student from Northwest High School who spent a day with the Mayor as his "shadow". Ms. Browne commented on the things that happened during the day: meetings, press conference, and signing documents to name a few.

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

#2003-BE-18 – Determining Benefits for Sanitary Sewer District No. 500, South of Seedling Mile Road. It was noted that Resolution #2003-BE-18 was pulled from the agenda.

#2003-BE-19 – Determining Benefits for Sanitary Sewer District No. 501, Stolley Park Road West of North Road, Freedom Drive & Liberty Lane. Motion by Pielstick, second by Hornady, carried unanimously to approve. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing to Amend the Future Land Use Map for the City of Grand Island for Property Located North of Capital Avenue and East of North Road in the SW ¼ SW ¼ of Section 1-11-10. Chad Naby, Regional Planning Director requested approval of the adoption of amending the Land Use Map for the City of Grand Island for property located north of Capital Avenue and east of North Road from Low to Medium Density Residential to Medium Density Residential/Office. The Regional Planning Commission approved this request unanimously at their September 3, 2003 meeting. Jim Thares representing Primrose spoke in support. No further public testimony was heard.

Public Hearing on Changes to the Grand Island Zoning Map for Property Located North of Capital Avenue and East of North Road in the SW ¼ SW ¼ of Section 1-11-10 from Transitional Agriculture (TA) to Residential Office (RO). Chad Naby, Regional Planning Director reported that Primrose Inc, had requested a change of zoning for property located north of Capital Avenue and east of North Road. This application proposed to change the zoning from TA Transitional Agricultural to RO Residential Office. The Regional Planning Commission at their regular meeting held September 3, 2003 unanimously voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map. No public testimony was heard.

Public Hearing on Vacation of Utility Easement Located in the Parking Lot East of Whiskey Creek Steakhouse on Lot Two, Park Island Square 6th Subdivision. Bob Smith, Assistant Utilities Director reported that vacation of a utility easement located in part of Lot Two (2) Park Island Square 6th Subdivision (formerly Lot One (1), Park Island Square 5th Subdivision), was requested because the property had been re-subdivided since the original easement was acquired in January, 2002. A new building was scheduled to be constructed that would encroach into the easement. A new easement was included with the new subdivision plat which was approved by Council. No public testimony was heard.

RESOLUTION:

#2003-268 – Approving Amendment to the Future Land Use Map for the City of Grand Island for Property Located North of Capital Avenue and East of North Road in the SW ¼ SW ¼ of Section 1-11-10. Chad Naby, Regional Planning Director, requested approval of the adoption of amending the Land Use Map for the City of Grand Island for property located north of Capital Avenue and east of North Road from Low to Medium Density Residential to Medium Density Residential/Office. The Regional Planning Commission approved this request unanimously at their September 3, 2003 meeting.

Motion by Pielstick, second by Walker to approve Resolution #2003-268. Upon roll call vote, all voted aye. Motion adopted.

ORDINANCES:

It was noted that Ordinance #8853 was pulled from the agenda.

#8853 – Consideration of Assessments for Sanitary Sewer District No. 500, South of Seedling Mile Road

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

#8850 – Consideration of Vacation of Utility Easement in the Parking Lot East of Whiskey Creek Steadkhouse on Lot Two, Park Island Square 6th Subdivision

#8852 – Consideration of Creation of Water Main District No. 443 – Independence Avenue, Shanna Street, and Lariat Lane

#8854 – Consideration of Assessments for Sanitary Sewer District No. 501, Stolley Park Road West of North Road, Freedom Drive and Liberty Lane

#8855 – Consideration of Change of Land Use Designation for Property Located North of Capital Avenue and East of North Road in the SW ¼ SW ¼ of Section 1-11-10 from Transitional Agriculture (TA) to Residential Office (RO)

#8856 – Consideration of Amending Chapter 17 of the Grand Island City Code Relative to Nuisance Garbage

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 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? It was noted that Ordinance #8856 was acted upon separately. No public comment was heard.

City Clerk: Ordinances #8850, #8852, #8854, and #8855 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 #8850, #8852, #8854, and #8855 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 #8850, #8852, #8854, and #8855 are declared to be lawfully passed and adopted upon publication as required by law.

Motion was made by Walker, second by Whitesides to approve Ordinance #8856.

#8856 – Consideration of Amending Chapter 17 of the Grand Island City Code Relative to Nuisance Garbage

Comments were made by Council members concerning the issues in Grand Island regarding garbage, enforcement issues, and issues looked at by the committee.

Rollie Reynolds, 239 Lakeside Drive, Lewis Kent, 624 East Meves Avenue, Glendale Reiss, 910 North Boggs, and Tom Schmidt, 2523 Jan Street spoke in opposition. Ryan King representing the Central District Health Department spoke in support.

City Clerk: Ordinance #8856 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 #8856 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 #8856 is declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Motion by Hornady, second by Walker, carried unanimously to approve the Consent Agenda, with the exception of G-5 which was approved earlier. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of September 9, 2003 City Council Regular Meeting. Councilmember Meyer abstained.

Approving Garbage and Refuse Haulers Permits. It was noted that the following company's permits were approved: Mid-Nebraska Disposal, Inc., Central Waste Disposal, Inc., Clark Brothers Sanitation, Full Circle, Inc., and Scott's Hauling.

Approving Appointment of Carole Cornelius to the City-County Communications/Civil Defense Committee.

Approving Appointment of Roy Neneman to the Business Improvement District #4 Board.

#2003-269 – Approving Final Plat and Subdivision Agreement for Primrose Subdivision. It was noted that Robert and Bonnie Irvine, owners, had submitted the final plat for Primrose Subdivision, located north of Capital Avenue and east of North Road for the proposed development of 1 lot on a currently unplatted parcel of land in the SW 1/4 1-11-10.

#2003-270 – Approving Sale of Electric Distribution to the Nebraska Veterans Home.

#2003-271 – Approving Adoption of Modified Method for Depreciation of Infrastructure.

#2003-272 – Approving Bid Award of Final Clarifier Mechanisms with Dorr-Oliver EIMCO of Salt Lake City, Utah in an Amount of \$400,685.00.

#2003-273 – Approving Establishment of Speed Limit for gold Core Road.

#2003-274 – Approving Grant Application from the Transportation Enhancement Program for Construction of the Riverway Hike/Bike Trail.

#2003-275 – Approving Agreement for Warranty Deed Between the City of Grand Island and Menard, Inc. in an Amount of \$27,225.00.

#2003-276 – Approving Interlocal Agreements for Riverway Hike/Bike Trail with Central Platte Natural Resource District, Central Community College, and Stuhr Museum.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady, carried unanimously to approve the Claims for the period of September 10, 2003 through September 23, 2003, for a total amount of \$4,153,137.29. Motion adopted.

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

Respectfully submitted,

RaNae Edwards
City Clerk