



City of Grand Island

Tuesday, January 13, 2004

Council Session

Item G2

Approving Minutes of December 23, 2003 City Council Regular Meeting

The Minutes of December 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

December 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 December 23, 2003. Notice of the meeting was given in the Grand Island Independent on December 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, Nicerkson, 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 Pastor William Voelker, Peace Lutheran Church, 4018 Zola Lane.

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

MAYOR COMMUNICATION: Mayor Vavricek recognized the services of David Springer as Interim City Administrator by giving him a watch. Mayor Vavricek gave his bi-annual report of past and future issues facing the city. Mentioned were leadership appointments, employees, department directors, and councilmembers serving the city. Also mentioned were accomplishments of the Nebraska National Guard, Economic Development Program, Kid's Kingdom, water contamination issues and public safety efforts. Future predictions for 2004 were the Heartland Events Center, South Locust interchange exit, Wood River diversion project, business and job opportunities, Waste Water Treatment Plant with regards to odor, Nebraska National Guard, and cooperation between the City and County.

PRESENTATIONS AND PROCLAMATIONS:

Presentation by Betty Curtis, Clean Community Systems Regarding Household Hazardous Waste Collection Report. Betty Curtis from Clean Community Systems presented a report on the Household Hazardous Waste Collections.

Mayor Vavricke presented a Christmas tree ornament and thanked Jean Goss, Executive Assistant for here service to Grand Island.

PUBLIC HEARINGS:

Public Hearing on Changes to the Grand Island Zoning Ordinance and Zoning Map to Add Gateway Protection Corridor Overlay District. Chad Nabity, Regional Planning Director reported that an amendment to the Grand Island Zoning Ordinance and Official Zoning Map was recommended to add language for a Gateway protection Corridor Overlay District, and define this corridor on the Official Zoning Map. The Regional Planning Commission at their regular meeting of December 3, 2003 voted to approve the amendments to the Zoning Map and Zoning Ordinance. Brandi Bosselman, 2004 West Charles Street spoke in support. June O'Neill, 1002 South Shady Bend Road opposed the billboard restrictions. No further public testimony was heard.

Public Hearing on Annexation of Property Located at 2860 East Bismark Road. Chad Nabity, Regional Planning Director reported that a Public Hearing concerning annexation of property located at 2860 East Bismark Road and the location of the Grand Island Kennel Club was requested by the property owners. The Regional Planning Commission at their meeting of December 3, 2003, unanimously voted to approve and recommend the city council approve this annexation. Anita Graaf spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3537 West 13th Street. (Mid-Country Trading, L.L.C.) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 3537 West 13th Street, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to relocate the primary underground electric system. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 916 North Shady Bend Road. (GIA) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 916 North Shady Bend Road, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to construct a three-phase overhead line to complete a feeder loop interrupted by the widening of U.S. Highway 30. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 4413 East Highway 30. (James W. Bamford) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 4413 East Highway 30, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used for a downguy and anchor for the overhead power line crossing of Capital Avenue required by the widening of East Highway 30. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3005 East U.S. Highway 30. (Moises & Olivia Lopez Llamas) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 3005 East U.S. Highway 30, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to relocate the overhead primary electric lines serving this property due to the expansion of East Highway 30. No public testimony was heard.

Public Hearing on Acquisition of Sidewalk Easement Located at 3990 West Capital Avenue. (Grand Island Retirement L.L.C.) Steve Riehle, Public Works Director, reported that as

properties develop they were required to install public sidewalks in the right-of-way along public streets. The council had waived this requirement in a few instances such as when drainage ditches made it difficult to install walks. It was much easier to install sidewalk when the property was being developed rather than to try and construct sidewalks a number of years later after initial construction was completed. City staff felt that the sidewalks should be installed now. The developer agreed to install the walks at this time; however, the only location that was conducive to the installation of the sidewalks was on private property. Therefore an easement was required. The subdivision agreement along Capital Avenue on the Primrose Subdivision property required installation of public sidewalks. The contours of the right-of-way adjacent to the property does not allow for installation of sidewalk without extensive modification to the existing drainage ditch along Capital Avenue. No public testimony was heard.

Public Hearing on Application for Natural Resources Development Funds for Northwest Grand Island Flood Project. Steve Riehle, Public Works Director, reported that the Federal Emergency Management Agency (FEMA) had maps that showed the 100 year flood plain as generally north of Capital Avenue and west of Webb Road with an additional area between US Highway 281 and Webb Road bounded by State Street on the south and Capital Avenue on the north. Properties within this flood plain area were required to pay for flood insurance unless they had the property surveyed and removed from the flood plain by a letter of map amendment. A number of properties had been surveyed and some remained within the 100 year flood plain while others had the map amended and their property removed from the flood plain. The total project was estimated at \$15.5 million dollars. The city was working with the Central Platte Natural Resources District (CPNRD) to prepare an application for Natural Resources Development Funds for \$9.3 million dollars for the project. The City of Grand Island and the CPNRD would share in the remaining \$6.2 million. The project was being proposed as phased over 10 years to reduce the impact on the budget. No public testimony was heard.

ORDINANCES:

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:

- #8879 – Consideration of Vacation of Alley in the Stehr's Subdivision – East of Seedling Mile Road
- #8880 – Consideration of Vacation of Utility Easement – Park Island Square 6th Subdivision
- #8881 – Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Animal Advisory Board and Animal Training
- #8882 – Consideration of Amending Chapter 26-5 of the Grand Island City Code Relative to Permits for the Installation of Private Sewage Disposal Systems
- #8883 – Consideration of Changes to the Grand Island Zoning Ordinance and Zoning Map to Add Gateway Protection Corridor Overlay District

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 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? Discussion was held regarding Ordinance #8883 with regards to billboards on South Locust Street south of Highway 34 and billboards on Highway 281. Chuck Bosselman, 2605 Apache road volunteered to be on the design committee, but opposed restrictions in this ordinance. June O'Neill, 1002 South Shady Bend Road commented on billboards on the interstate. No further public comment was heard.

City Clerk: Ordinances #8879, #8880, #8881, #8882, and #8883, 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 #8879, #8880, #8881, #8882, and #8883 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 #8879, #8880, #8881, #8882, and #8883 are declared to be lawfully passed and adopted upon publication as required by law.

Motion by Pielstick, second by Walker, to approve Ordinance #8884 on First Reading.

#8884 – Consideration of Annexation of Property Located at 2860 East Bismark Road

Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA:

Motion by Walker, second by Meyer, to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Documents – Civil Service Minutes of December 4, 2003.

Approving Minutes of December 9, 2003 City Council Regular Meeting. Councilmember Nickerson abstained.

Approving Minutes of December 16, 2003 City Council Study Session. Councilmember Pauly abstained.

#2003-364 – Approving Long Term Lease Agreement with Union Pacific Railroad for Property at Street & Transportation and Fleet Services Facilities in an Amount of \$75,822.00.

#2003-380 – Approving Terms of Office for Members of BID #5 Board.

#2003-381 – Approving Acquisition of Utility Easement Located at 3537 West 13th Street. (Mid Country Trading, L.L.C.)

#2003-382 – Approving Acquisition of Utility Easement Located at 916 North Shady Bend Road. (GIA)

#2003-383 – Approving Acquisition of Utility Easement Located at 4413 East Highway 30. (James W. Bamford)

#2003-384 – Approving Acquisition of Utility Easement Located at 3005 East U.S. Highway 30. (Moises & Olivia Lopez Llamas)

#2003-385 – Approving Acquisition of Sidewalk Easement Located at 3990 West Capital Avenue. (Grand Island Retirement L.L.C.)

#2003-386 – Approving Purchase of 2004 Chevrolet Impala Four Door Sedan for Building Department from Husker Auto Group, Inc. of Lincoln, Nebraska in an Amount of \$15,997.00.

#2003-387 – Approving Change Order #1 and #2 for Storage Building at Fire Station #3 with Roger Krzycki Construction of Grand Island, Nebraska for an Increase of \$2,468.00 and a Revised Contract Amount of \$62,440.00.

#2003-388 – Approving Certificate of Final Completion for Storage Building at Fire Station #3 with Roger Krzycki Construction of Grand Island, Nebraska.

#2003-389 – Approving Application for Natural Resources Development Funds for Northwest Grand Island Flood Project.

#2003-390 – Approving Continuation of Sanitary Sewer District No. 512, Maryland, Kentish Hills & Bradley Subdivisions and a Portion of Un-subdivided Property East of the Subdivisions.

#2003-391 – Approving Change Order #1 for Suck's Lake Renovation with General Excavating of Lincoln, Nebraska for a Decrease of \$24,360.12 and a Revised Contract Amount of \$389,720.75. Councilmember Hornady abstained.

#2003-392 – Approving Certificate of Final Completion for Suck's Lake Restoration/Cottonwood Lake Dredging Project with General Excavating of Lincoln, Nebraska. Councilmember Hornady abstained.

#2003-393 – Approving Memorandum of Understanding Between the Crisis Center and the City of Grand Island for U.S. Department of Justice Safe Havens Grant Facilitation.

#2003-394 – Approving Change Order #1 for Kimball Reservoir Rehabilitation and Pine Street Reservoir Demolition with Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$53,125.00 and an Revised Contract Amount of \$766,055.00.

#2003-395 – Approving Phase I of the Roger’s Pumping Improvements Project, Water System Engineering Services with CH2M Hill of Englewood, Colorado in an Amount of \$82,961.00.

#2003-396 – Approving Purchase of Three New Trucks for Underground and Water Divisions of the Utilities Department with Anderson Ford of Lincoln, Nebraska in an Amount of \$99,435.00.

#2003-397 – Approving Agreement with the Nebraska Department of Roads for Improvements to U.S. Highway 30, East of Stuhr Road to Merrick County Line.

#2003-398 – Approving Certificate of Final Completion for Suck’s Lake Restoration/Cottonwood Dredging Project Engineering Services with Olsson Associates of Grand Island, Nebraska. Councilmember Hornady abstained.

REQUESTS AND REFERRALS:

Request of Wells Fargo Bank for Property Located in the W ½ NW ¼ of Section 34-11-9 to be Annexed into the City of Grand Island. City Attorney Doug Walker reported that Wells Fargo bank was requesting that real estate that they administer in the West 1/2 of the northwest 1/4 of Section 34-11-9 be annexed into the City. This property was on the southeast corner of the intersection of Highway 34 and South Locust Street. If the Council approved this request for annexation it would be referred to the Planning Commission for approval before coming back to the City Council for formal annexation by ordinance.

Motion by Hornady, second by Walker, to approve the request of Wells Fargo Bank for Annexation of property located in the W1/2NW1/4 of Section 34-11-9. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase, carried unanimously to approve the Claims for the period of December 10, 2003 through December 23, 2003, for a total amount of \$3,574,330.31. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk