



City of Grand Island

Tuesday, March 23, 2004

Council Session

Item G2

Approving Minutes of March 9, 2004 City Council Regular Meeting

The Minutes of March 9, 2004 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

March 9, 2004

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 March 9, 2004. Notice of the meeting was given in the Grand Island Independent on March 3, 2004.

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: City Administrator Gary Greer, City Clerk RaNae Edwards, Finance Director David Springer, Public Works Director Steve Riehle, and City Attorney Doug Walker.

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Pastor Paul Hofrichter, Evangelical Free Church, 2609 South Blaine Street.

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

MAYOR COMMUNICATION: None.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Abbott Sisters' Day 2004" March 20, 2004. The Mayor proclaimed March 20, 2004 as "Abbott Sisters' Day 2004". Steve Fosselman, Library Director, Jerry Bryant and Billie Marvel were present to receive the proclamation.

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

#2004-BE-1 – Determining Reallocation of Benefits for Sanitary Sewer District No. 490. Motion by Pielstick, second by Whitesides, to approve Resolution #2004-BE-1, carried unanimously.

#2004-BE-2 – Determining Reallocation of Benefits for Water Main District No. 432. Motion by Pielstick, second by Whitesides, to approve Resolution #2004-BE-2, carried unanimously.

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

PUBLIC HEARINGS:

Public Hearing on Request of the City of Grand Island dba Jackrabbit Run Golf Course, 2800 North Shady Bend Road for a Class "A" Liquor License. City Clerk RaNae Edwards reported that due to annexation of several properties in 2002, Jackrabbit Run Golf Course, owned by the City of Grand Island located 2800 North Shady Bend Road had to apply for a new liquor license. Submitted was an application with the City Clerk's Office for a Class "A" Liquor License which allows for the sale of alcohol on sale only within the corporate limits of the City. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City Clerk of February 27, 2004; notice to applicant of date, time and place of hearing mailed on February 27, 2004; notice to the general public of date, time and place of hearing published on February 29, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located ½ Mile East of 2nd Road and ½ Mile South of "F" Road Located in Merrick County. (Harry C. Preisendorf and JoAnn Wieland) Gary Mader, Utilities Department Director reported that acquisition of a utility easement located ½ mile east of 2nd Road and ½ mile south of "F" Road, located in Merrick County, was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to construct a new three phase overhead power line along the half section line to serve five irrigation wells. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located ½ Mile East of 2nd Road and ½ Mile South of "E" Road Located in Merrick County. (Nicholas and Adrian Mattoni) Gary Mader, Utilities Department Director reported that acquisition of a utility easement located ½ mile east of 2nd Road and ½ mile south of "E" Road, located in Merrick County, was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to construct a new three phase overhead power line along the half section line to serve five irrigation wells. No public testimony was heard.

Public Hearing on Acquisition of Property Along South Locust Street Between Stolley Park Road and Fonner Park Road for Right-of-Way Purposes. Steve Riehle, Public Works Director reported that acquisition of public right-of-way, landscape easements, utility easements, ingress/egress easements, and temporary construction easements were required in order to make improvements along South Locust Street between Stolley Park Road and Fonner Park Road. Don Mehring, 3028 West College Street stated he had no objections. No further public testimony was heard.

Public Hearing on Acquisition of Right-of-Way Located at 610 Midaro Drive. (Garry & Jeanne Williams). Steve Riehle, Public Works Director reported that acquisition of right-of-way located at 610 Midaro Drive was required in order to grade Midaro Drive. No public testimony was heard.

Public Hearing on Acquisition of Right-of-Way Located at 550 Midaro Drive. (Rich and Patricia Johnson) Steve Riehle, Public Works Director reported that acquisition of right-of-way located at 550 Midaro Drive was required in order to grade Midaro Drive. No public testimony was heard.

Public Hearing on Acquisition of Right-of-Way Located at 520 Midaro Drive. (Donald and Deborah Razey) Steve Riehle, Public Works Director reported that acquisition of right-of-way located at 610 Midaro Drive was required in order to grade Midaro Drive. 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:

#8890 – Consideration of Reallocating Assessments for Sanitary Sewer District No. 490

#8891 – Consideration of Reallocating Assessments for Water Main District No. 432

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? No public comment was heard.

City Clerk: Ordinances #8890 and #8891 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 #8890 and #8891 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 #8890 and #8891 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda Items G-11 and G-15 were acted upon separately. Consent Item G-16 was pulled from the agenda until the March 16, 2004 City Council Special Meeting. Motion by Hornady, second by Cornelius, to approve the Consent Agenda excluding Items G-11, G-15, and G-16. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of February 21, 2004 City Council Special Study Session (Council Retreat).

Approving Minutes of February 24, 2004 City Council Regular Meeting.

Approving Minutes of March 2, 2004 City Council Study Session. Correction was made as noted. Councilmembers Cornelius and Pielstick abstained.

Approving Request of Lois Stade, 4111 West Airport Road for Liquor Manager Designation for Garden Café/Tiffany's Lounge, 3333 Ramada Road.

Approving Request of Carl Rezabek, 216 South Eddy Street for Liquor Manager Designation for Fraternal Order of Eagles #378, 213 North Sycamore Street.

Approving Request of the City of Grand Island dba Jackrabbit Run Golf Course, 2800 North Shady Bend Road for a Class "A" Liquor License.

Approving Request of John C. Hadwick, 131 East Ashton Avenue for Liquor Manager Designation for Jackrabbit Run Golf Course, 2800 North Shady Bend Road.

#2004-38 – Approving Acquisition of Utility Easement Located ½ Mile East of 2nd Road and ½ Mile South of "F" Road Located in Merrick County. (Harry Preisendorf & JoAnn Wieland)

#2004-39 – Approving Acquisition of Utility Easement Located ½ Mile East of 2nd Road and ½ Mile North of "E" Road Located in Merrick County. (Nicholas and Adrian Mattoni)

#2004-40 – Approving Final Plat and Subdivision Agreement for Pleasant View 13th Subdivision. It was noted that GNR Development Corporation of Hastings, Nebraska, had submitted the final plat for Pleasant View 13th Subdivision, located on a parcel of land in the W1/2 NE1/4 of Section 22-11-9 for the purpose of creating 11 lots.

#2004-42 – Approving Bid Award for Concrete Ready-Mix for 2004 to Brodsky's Ready-Mix of Grand Island, Nebraska in an Amount of \$52.20 per cubic yard.

#2004-43 – Approving Bid Award for Concrete Pavement and Storm Sewer Repairs for 2004 to OK Paving of Grand Island, Nebraska in an Amount of \$368,502.50.

#2004-44 – Approving Bid Award for Asphalt Hot-Mix for 2004 to Gary Smith Construction Co. of Grand Island, Nebraska in an Amount of \$16.85 per ton for Type "B" and \$20.00 per ton for Type "C" Asphalt Hot-Mix.

#2004-46 – Approving Agreement with Grand Island Skeet and Sporting Clays Club for a Loan up to \$100,000 for Improvements to the City-Owned Shooting Facility.

#2004-47 – Approving Contract with James A. Culver dba Chippewa Northwestern Railway Company of Lincoln, Nebraska for Train and Food Concession Services at Stolley Park.

#2004-48 – Approving Two-Year Contract with the Hall County Housing Authority for Police Services.

#2004-49 – Approving Authorization for City Treasurer to Sell Stocks and Securities.

#2004-50 – Approving Bid Award for Low Service Pump #2 Repair with Rotating Equipment Repair, Inc. of Sussex, Wisconsin in an Amount of \$22,500.00.

#2004-51 – Approving Bid Award for Electrical Project 2001-UG-4 Installation of Electrical Conduits with K-D Cable, Inc. of Grand Island, Nebraska in an Amount of \$64,070.00.

#2004-52 – Approving Acquisition of Right-of-Way Located at 610 Midaro Drive. (Garry and Jeanne Williams)

#2004-53 – Approving Acquisition of Right-of-Way Located at 550 Midaro Drive. (Rich and Patricia Johnson)

#2004-54 – Approving Acquisition of Right-of-Way Located at 520 Midaro Drive. (Donald and Deborah Razey)

#2004-55 – Approving Agreement with Nebraska Children and Families Foundation Relative to CYC Funding.

#2004-41 – Approving Final Plat and Subdivision Agreement for Meadow Lane 6th Subdivision. It was noted that Harold and Judith Rosenkotter and Deborah and Stephen Spaulding, had submitted the final plat for Meadow Lane 6th Subdivision, located on a parcel of land in the E1/2 SE1/4 of Section 26-11-9 for the purpose of creating 3 lots. Councilmember Gilbert questioned septic tanks and wondered if there were any other alternatives. Planning Director Chad Nabity stated there was no sewer or water in this subdivision because of it being outside the City limits, but within the 2 mile jurisdiction and that there were no other alternatives at this time.

Motion was made by Hornady, second by Cornelius to approve Resolution #2004-41. Upon roll call vote, Councilmembers Whitesides, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker, and Hasse voted aye. Councilmembers Meyer and Pielstick voted no. Motion adopted.

#2004-45 – Approving Acquisition and Condemnation of Property Along South Locust Street Between Stolley Park Road and Fonner Park Road. Councilmember Gilbert questioned the condemnation process and status of the temporary construction easements. Public Works Director Steve Riehle explained the process and that this was a way of bringing to the table those property owners who had not signed agreements yet.

Motion by Hornady, second by Walker to approve Resolution #2004-45. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2004-56 – Approving Ballot Language for ½ Cent Sales Tax Vote. Doug Walker, City Attorney reported that Resolution #2004-56 authorized a ½ Cent Sales Tax Measure to be placed on the May 11th Primary Election along with designating how the proceeds of the sales tax would be expended.

Councilmember Whitesides requested the City Clerk to read the ballot language. City Clerk RaNae Edwards read the ballot language as proposed in Resolution #2004-56.

Motion by Whitesides, second by Meyer, to approve Resolution #2004-56. Upon roll call, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase, carried unanimously to approve the Claims for the period of February 25, 2004 through March 9, 2004, for a total amount of \$2,346,572.68. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk