



# City of Grand Island

Tuesday, April 13, 2004

Council Session

## Item G1

### Approving Minutes of March 23, 2004 City Council Regular Meeting

*The Minutes of March 23, 2004 City Council Regular Meeting are submitted for approval.  
See attached MINTUES.*

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

March 23, 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 23, 2004. Notice of the meeting was given in the Grand Island Independent on March 17, 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 Cheryl Lamb, First Presbyterian Church, 2103 West Anna Street.

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

MAYOR COMMUNICATION: Mayor Vavricek commented on the following:

1. This is the season for severe weather and to plan ahead
2. Street construction
3. Acknowledged the Chamber of Commerce for recognizing outstanding senior scholars
4. Challenged the Economic Development Corporation to work with Kearney and Hastings with regard to recruiting businesses to bring more jobs to the area. Also commended the work of EDC.
5. Introduced Paul Briseno, Executive Assistant to the City of Grand Island

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Irene Abernethy Day" March 28, 2004. The Mayor proclaimed March 28, 2004 as "Irene Abernethy Day". Irene Abernethy was present to receive her proclamation.

Proclamation "Child Abuse Prevention Month" April 2004. The Mayor proclaimed the month of April 2004 as "Child Abuse Prevention Month". Cathy Vega and members of Girl Scout Troop 711 were present to receive the proclamation.

Proclamation "Minority Health Month" April 2004 and "Public Health Week" April 5-11, 2004. The Mayor proclaimed the month of April 2004 as "Minority Health Month" and April 5-11, 2004 as "Public Health Week". Jane Miller and Lisa Heineman from the Central District Health Department were present to receive the proclamation.

Presentation by Shonsey & Associates for FY 2003 City Single Audit and General Purpose Financial Statements. Terry Galloway of Shonsey & Associates gave a report on the audited financial statements for the year ended September 30, 2003. Mr. Galloway stated that the City was financially in great shape. A few recommendations were made, such as increasing electric rates.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Property at 1209 – 1219 West North Front Street. Gary Mader, Utilities Director reported that the Electric Department, Line Division and Underground offices, shops and storage facilities were located in the 1100 block of West North Front Street. Due to the growth of the Utility's electric division, more property was required for storage of large materials and construction equipment. The Thompson Building warehouse facility located at 1209-1219 West North Front Street was available for purchase in the amount of \$350,000.00. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3990 West Capital Avenue. (Grand Island Retirement, LLC) Gary Mader, Utilities Department Director reported that acquisition of a utility easement located at 3990 West Capital Avenue was required in order to have access and locate a pad-mounted transformer. This easement would be used to serve electricity to the new Primrose facility. No public testimony was heard.

Public Hearing on Acquisition of Right-of-Way and Permanent Drainage Easement Along Midaro Drive. (Amy Anderson and Emily Anderson) Steve Riehle, Public Works Director reported that acquisition of right-of-way and permanent drainage easement located along Midaro Drive was required in order to grade Midaro Drive per the plans and specifications of the Firethorn Estates Subdivision. No public testimony was heard.

Public Hearing on Acquisition of Permanent Drainage Easement Located at 225 Midaro Drive. (Marlene Roush) Steve Riehle, Public Works Director reported that acquisition of permanent drainage easement located at 225 Midaro Drive was required in order to grade Midaro Drive per the plans and specifications of the Firethorn Estates Subdivision. No public testimony was heard.

Public Hearing on Amending Chapter 2 of the Grand Island City Code to Include the Economic Development Program and Regulations for the Operation of the Citizens' Review Committee. Doug Walker, City Attorney reported that the Economic Development Program which was adopted by the city in 2003 included the establishment of a Citizens' Advisory Review Committee. The original program did not include some details specifying how the Committee was to be organized and operated. The recommendation was to include these requirements and more closely follow state statutory requirements. No public testimony was heard.

Public Hearing on Concerning the Semi-Annual Report by the Citizens' Advisory Review Committee on the Economic Development Program Plan. Tim White, Chairman of the Citizens' Advisory Review Committee reported that the Economic Development Program required the Citizens' Advisory Review Committee to give a report to the City Council on its findings and

suggestions at a public hearing called for that purpose at least once in every six-month period after the effective date of the ordinance. Mr. White reported that the committee had met several times and had established procedures and policy along with confidential issues. Mentioned were two pending applications, one from Standard Iron and the other from Heritage Storage and Disposal at the Cornhusker Army Ammunition Plant. No public testimony was heard.

Public Hearing Concerning Budget Amendments. David Springer, Finance Director reported that a budget amendment was needed to 1) create a separate Program Fund for the \$750,000 to the Grand Island Economic Development Corporation, and 2) record the unbudgeted short term credit line from Wells Fargo and the unbudgeted appropriation to repay this loan. 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:

- #8889 – Consideration of Amending Chapter 2 of the Grand Island City Code to Include the Economic Development Program
- #8892 – Consideration of Creation of Sanitary Sewer District No. 513, Gosda Subdivision Along Lillie Drive West on North Road
- #8893 – Consideration of Creation of Sanitary Sewer District No. 514 Along West 13<sup>th</sup> Street West of Branding Iron Lane
- #8894 – Consideration of Budget Amendment

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 #8889, #8892, #8893, and #8894 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 #8889, #8892, #8893, and #8894 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 #8889, #8892, #8893, and #8894 are declared to be lawfully passed and adopted upon publication as required by law.

Motion was made by Whitesides, second by Hornady to refer Ordinance #8895 to the April 6, 2004 City Council Study Session. Rich Ludvik, 1752 County Road E, Wahoo, Nebraska representing Ka-Boomers requested to speak regarding changes to the fireworks. It was decided that since there were several people present to speak regarding this issue, that it would be appropriate to wait until the Study Session on April 6, 2004. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, and Haase voted aye. Councilmember Walker voted no. Motion adopted.

#8895 – Consideration of Amending Chapter 16 of the Grand Island City Code Pertaining to Fireworks

CONSENT AGENDA: Motion by Hornday, second by Cornelius, to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Receipt of the Economic Development Program Plan Report.

Approving Minutes of March 9, 2004 City Council Regular Meeting.

Approving Minutes of March 16, 2004 City Council Special Meeting.

Approving the Appointments of Lori Hock and Karl Kostbahn to the Library Board.

Approving the Appointment of Bobby Ranard to the Community Development Advisory Committee.

#2004-58 – Approving Acquisition of Property at 1209 – 1219 West North Front Street.

#2004-59 – Approving Acquisition of Utility Easement Located at 3990 West Capital Avenue. (Grand Island Retirement, LLC)

#2004-60 – Approving Acquisition of Right-of-Way and Permanent Drainage Easement Located Along Midaro Drive. (Amy and Emily Anderson)

#2004-61 – Approving Acquisition of Permanent Drainage Easement Located at 225 Midaro Drive. (Marlene Roush)

#2004-62 – Approving Bid Award for Picnic Shelter with Fry and Associates, Inc. of North Kansas City, Missouri in an Amount of \$52,265.00.

#2004-63 – Approving Land for the Purpose of Public Park and Public Outdoor Recreation Under the Land and Water Conservation Fund Act at the Grand Island Skeet Range.

#2004-64 – Approving Bid Award for (1) 2004 Four-Door Police Vehicle with Anderson Ford Lincoln Mercury of Grand Island, Nebraska in an Amount of \$23,484.00 less trade-in of \$4,700.00 for a Net Price of \$18,784.00.

#2004-65 – Approving the Date of April 27, 2004 for Board of Equalization for Annual Mowing Assessments.

#2004-66 – Approving Subordination Agreement for House Purchased Under CDBG Down Payment Assistance Program. (Jonell Ann Vogt fka Jonell Ann Wilsey)

#2004-67 – Approving Change Order #1 with Schmader Electric Construction Co. of West Point, Nebraska for Contract No. 04-PPC-01, Transmission Line Work with an Increase of \$14,395.90 and a Revised Contract Amount of \$446,341.42.

#2004-68 – Approving Certificate of Final Completion with Starostka Group Company of Grand Island, Nebraska and Setting the Board of Equalization Date of April 27, 2004 for Water Main District 441 and 442T (Faidley Avenue).

#2004-69 – Approving Bid Award for (2) Police Motorcycles with Harley Davidson Central of Grand Island, Nebraska in an Amount of \$28,010.00. Councilmember Pielstick voted no.

#2004-70 – Approving Contract for Engineering Services for Stolley Park Arboretum with Clark-Enersen Partners of Lincoln, Nebraska in an Amount of \$25,130.00.

#2004-71 – Approving Rescheduling the Date for Board of Equalization for Sanitary Sewer District No. 507 to April 27, 2004.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady, carried unanimously to approve the Claims for the period of March 10, 2004 through March 23, 2004, for a total amount of \$4,058,738.44. Councilmember Pielstick abstained from claim #65598. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk