



# City of Grand Island

Tuesday, June 22, 2004

Council Session

## Item G1

### Approving Minutes of June 8, 2004 City Council Regular Meeting

*The Minutes of June 8, 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

June 8, 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 June 8, 2004. Notice of the meeting was given in the Grand Island Independent on June 2, 2004.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Gilbert, Nicerkson, Cornelius, Pauly, Hornady, Walker, and Haase. Councilmember Pielstick was absent. 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 Evangelist Gary Bennett, Stolley Park Church of Christ, 2822 West Stolley Park Road.

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

MAYOR COMMUNICATION: Mayor Vavricek commented on the death of President Ronald Reagan and the funeral service that would be held on Friday, June 11, 2004. Also mentioned was that City Hall would be open for business as usual on Friday.

PUBLIC HEARINGS:

Public Hearing on Request of Emil Schaaf/Werner Construction for a Conditional Use Permit for Sand and Gravel Operations Located at 5588 South Engleman Road. Craig Lewis, Building Department Director reported that Emil Schaaf and Werner Construction had submitted a request for the continued use of a sand and gravel operation located at 5588 South Engleman Road. Mr. Lewis stated that Hall County Board had approved Resolution #00-0063 which set conditions of operation for the facility. Pat O'Hara, 5387 Engleman Road spoke in support. No further public testimony was heard.

Public Hearing on Request of Hooker Bros. Sand & Gravel for Conditional Use Permit for Sand and Gravel Operation Located at 3860 South Locust Street. Craig Lewis, Building Department Director reported that Hooker Bros. Sand & Gravel, Inc. had submitted a request for the continued use of a sand and gravel operation located at 3860 South Locust Street. Mr. Lewis stated that the original request was approved by City Council on May 23, 1994 for a period of ten years. Explained were the conditions recommended by city administration. Ron Depue, Attorney for Hooker Bros. Sand & Gravel and Jeff Hooker, 3615 Palamino Place spoke in

support. Ken Clausen, 3050 W. Guenther Road commented on drainage concerns, but was not against the permit. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located 1/4 Mile North of Stuhr Road and Highway 34. (Scott and Mary Sahling) Gary Mader, Utilities Director reported that acquisition of a utility easements located 1/4 mile north of Stuhr Road and Highway 34 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 single phase high voltage overhead line to a new home to be built by the Sahling family. No public testimony was heard.

ORDINANCES:

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

#8907 – Consideration of Vacation of Utility Easement Located at 1850 Union Road.  
(Livengood Second Subdivision)

#8913 – Consideration of Vacating Right of Way and Utility Easement Along Wilmar Avenue within Martin's Second Subdivision.

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 Haase 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 #8907 and #8913 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 #8907 and #8913 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 #8907 and #8913 are declared to be lawfully passed and adopted upon publication as required by law.

Motion by Whitesides, second by Hornady to approve Ordinance #8888 on second reading only.

#8888 – Consideration of Annexation of Property Located South of U.S. Highway 34 and East of South Locust Street – Proposed Wal-Mart South Subdivision an Addition to the City of Grand Island (Second Reading)

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

Motion by Whitesides, second by Cornelius, to approve Ordinance #8912 on second reading only.

#8912 – Consideration of Annexation of Property South of Airport Road and East of Shady Bend Road being Platted as Frauen Subdivision (Second Reading)

Upon roll call vote, Councilmembers Whitesides, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmembers Meyer and Gilbert voted no. Motion adopted.

CONSENT AGENDA: Items G-7 and G-19 were removed from the Consent Agenda. Motion by Hornady, second by Gilbert, to approve the Consent Agenda excluding items G7 and G-19. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 25, 2004 City Council Regular Meeting.

Approving Minutes of June 1, 2004 City Council Study Session. Councilmember Nickerson abstained.

Approving Appointment of Ann Marsh to the Central District Health Department Board.

Approving the Appointments of Police Chief Kyle Hetrick, Police Captain Robert Falldorf, Sheriff Jerry Watson, City Administrator Gary Greer, County Board Supervisor Pam Lancaster, Steve Lamken from the Law Enforcement Training Center, Chief Deputy Chris Rea from the Hall County Sheriff's Department, Emergency Management Director Howard Maxon, and Mayor Jay Vavricek to the Law Enforcement Committee. County Board Supervisor Jim Ericksen was appointed as an alternate.

Approving the Appointments of Fire Chief Jim Rowell, Fire Operations Division Chief Curt Rohling, Fire Training Division Chief Troy Hughes, Councilmember Bob Meyer, City Administrator Gary Greer, and Citizen Representative Duane Donaldson to the Fire Station/Training Committee. Councilmember Myer abstained.

Approving the Appointments of Library Director Steve Fosselman, Councilmember Margaret Hornady, City Attorney Doug Walker, Executive Assistant Paul Briseno, Hall County Supervisor Bob Rye, Library Board Members Michael Kneale and Billie Marvel, and Citizen Representative Tom Ward to the Library Committee. Councilmember Hornady abstained.

Approving Preliminary Plat for Martin's Second Subdivision.

#2004-131 – Approving Final Plat and Subdivision Agreement for Martin's Second Subdivision. It was noted that Wilmar Realty, L.L.C. had submitted the final plat for Martin's Second Subdivision, located north of Potash Highway and west of Webb Road for the purpose of creating 7 lots.

#2004-132 – Approving Final Plat and Subdivision Agreement for Brentwood Sixth Subdivision. It was noted that Grand Island Bickford Cottage, L.L.C. has submitted the final plat for Brentwood Sixth Subdivision, located south of Woodridge Blvd. and east of Webb Road for the purpose of re-subdividing Lot 1 Brentwood Fifth Subdivision into 2 lots.

#2004-133 – Approving Final Plat and Subdivision Agreement for Butterfly Subdivision. It was noted that Wayne E. Bockman, Personal Representative of the Roy Henry Bockman, Sr. Estate had submitted the final plat for Butterfly Subdivision, located north of 13<sup>th</sup> Street and east of Engleman Road for the purpose of creating 1 lot.

#2004-134 – Approving Final Plat and Subdivision Agreement for JPM Subdivision. It was noted that Jerry M. and Pamela S. Saber-Miller had submitted the final plat for JPM Subdivision, located north of Eilenstine Road and east of St. Paul Road for the purpose of re-subdividing Lot 5 Fairacres Subdivision into 6 lots.

#2004-135 – Approving Request of Emil Schaaf/Werner Construction for Conditional Use Permit for Sand and Gravel Operation Located at 5588 South Engleman Road. Councilmember Meyer voted no.

#2004-136 – Approving Acquisition of Utility Easement Located 1/4 Mile West and 1/2 Mile North of Stuhr road and Highway 34 (off of Midaro Drive). (Scott and Mary Sahling)

#2004-137 – Approving Certificate of Final Completion for Downtown Alleys Phase IV, Street Improvement District No. 1243 and 1244 with the Diamond Engineering Company of Grand Island, Nebraska and Setting July 13, 2004 for Board of Equalization Hearing for Street Improvement District No. 1243.

#2004-138 – Approving Continuation of Sanitary Sewer District No. 515, Dale Roush Subdivision (Indian Acres).

#2004-139 – Approving Change Order No. 1 to the Contract for Street Improvement District No. 1245, James Road, Located North of Husker Highway Approximately 950 Feet with the Diamond Engineering Company of Grand Island, Nebraska for an increase of \$1,310.00 and a Revised Contract Amount of \$100,791.35.

#2004-140 – Approving Certificate of Final Completion for Street Improvement District No. 1245, James Road, Located North of Husker Highway Approximately 950 Feet with the Diamond Engineering Company of Grand Island, Nebraska and Setting July 13, 2004 for Board of Equalization Hearing.

Approving Request of Hooker Bros. Sand & Gravel for Conditional Use Permit for Sand and Gravel Operation Located at 3860 South Locust Street. Discussion was held concerning drainage on the south side of the Hooker Bros. Sand & Gravel operation.

Motion was made by Whitesides, second by Hornady to approve the request for the Conditional Use Permit. Upon roll call vote, Councilmembers Whitesides, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase vote aye. Councilmember Meyer voted no. Motion adopted.

#2004-141 – Approving Interlocal Agreement with Hall County and the City of Grand Island for Improvements to Schimmer Drive West of U.S. Highway 281. Motion was made by Gilbert, second by Cornelius to approve Resolution #2004-141. Bruce Swihart, 339 Ponderosa Drive spoke in support and thanked the council.

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

REQUEST AND REFERRALS:

Request of Pollock Well Drilling for Non-Conforming Use of Land to Rebuild Business. Craig Lewis, Building Department Director reported that a request was received from Pollock Well Drilling for a Non-Conforming Use of land located at 2670 N. St. Paul Road to rebuild a building that was destroyed by fire. Mr. Lewis stated that the Pollock Well Drilling business had operated at that location for more than 50 years and there were no apparent negative impacts to the neighborhood.

Motion by Gilbert, second by Hornady to approve the request of Pollock Well drilling for a non-conforming use of land located at 2670 N. St. Paul Road. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady, carried unanimously to approve the Claims for the period of May 26, 2004 through June 8, 2004, for a total amount of \$3,126,849.21. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk