



City of Grand Island

Tuesday, August 10, 2004

Council Session

Item G1

Approving Minutes of July 27, 2004 City Council Regular Meeting

The Minutes of July 27, 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

July 27, 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 July 27, 2004. Notice of the meeting was given in the Grand Island Independent on July 21, 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, Hornady, Walker, and Haase. Councilmember Pauly 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 Pastor John Hayes, Grace Baptist Church, 1115 South Vine Street.

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

MAYOR COMMUNICATION: Mayor Vavricek welcomed Boy Scout Troop 147. He also reminded everyone of National Night Out on August 3, 2004 and that there would be no Council Meeting that night.

PRESENTATIONS AND PROCLAMATIONS:

Presentation of Certificates of Appreciation for K-9 Unit Contributions. The Mayor and City Council recognized Barry Sandstrom, Fonner Park; Dr. James Kimbrough, D.V.M.; Kevin Woodward, Woodward Construction; Lieutenant Mike Kerby, Nebraska State Patrol; Mrs. Brown, IAMS Company; Wayne Davis, Pump & Pantry; and Larry Wilhemi, Les Schimmer, Roger Luebbe, Dave Bailey, and Al Fuller from Ag Services for their contributions to the Police K-9 Unit. Police Sgt. Dale Hilderbrand Supervisor of the K-9 Unit introduced Police Officer Rick Ehlers and Police Dog "Framis" and Police Officer Rita Hemmer and Police Dog "Casey" were present for the presentation.

Recognition of Ken Hilligas for Years of Service to the Civil Service Commission. The Mayor and City Council recognized Ken Hilligas for his 26 years of dedicated service to the Civil Service Commission.

Presentation of the Community Redevelopment Authority (CRA) Budget. Cindy Johnson, Community Redevelopment Authority (CRA) Director presented the 2004-2005 CRA Budget to the Mayor and City Council.

ADJOURN TO THE GRAND ISLAND AREA SOLID WASTE AGENCY: Motion by Hornady, second by Walker, carried unanimously to adjourn to the Grand Island Area Solid Waste Agency.

Public Hearing on Proposed FY 2004-2005 Grand Island Area Solid Waste Agency Budget. Steve Riehle, Public Works Director reported that a separate hearing was required for the Solid Waste Agency Budget. The budget appeared in the City's Annual Budget Document for Fiscal Year 2004-2005. No public testimony was heard.

#2004-SWA-1 – Approivng Proposed FY 2004-2005 Grand Island Area Solid Waste Agency Budget. Discussion was had with regards to rent for grinding trees and clothing allowance which would be reviewed by the Public Works Department. Motion by Pielstick, second by Hornady, to approve Resolution #2004-SWA-1. Upon roll call vote, all voted aye. Motion adopted.

#2004-SWA-2 – Approving Call Redemption for Solid Waste Disposal Facilities Revenue Refunding Bonds, Series 1998. David Springer, Finance Director reported that on October 15, 1998, \$3,805,000 in Solid Waste Disposal Revenue Refunding bonds were issued to refinance the 1992 Series bonds. Currently there was \$2,735,000 still outstanding at an average interest rate of 4.885%. By refinancing these bonds at a lower interest rate the saving would be \$139,848. This resolution would call for the redemption of the Series 1998 bonds. Mr. Springer introduced Bruce Lefler and Bill Beavers from Ameritas Investment Corporation.

Motion by Hornady, second by Cornelius, to approve Resolution #2004-SWA-2. Upon roll call vote, all voted aye. Motion adopted.

#2004-SWA-3 – Approving Insurance of Solid Waste Disposal Facilities Revenue Refunding Bonds, Series 2004. David Springer, Finance Director reported that this resolution would issue the new bonds in the amount of \$2,485,000.

Motion by Hornady, second by Cornelius, to approve Resolution #2004-SWA-3. Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Amendment to Community Redevelopment Authority (CRA) Redevelopment Plan and Authorizing Tax Increment Financing for Renovation of Facility at 504 & 512 Elm Street. Cindy Johnson, CRA Director reported that developer Fred Hoppe had submitted an application for tax increment financing in the amount of \$668,000 for property formerly known as Old Walnut School located at 504 & 512 Elm Street. This public hearing was for an amendment to the Redevelopment Plan. Fred Hoppe, Developer from Lincoln spoke in support. No further public testimony was heard.

Public Hearing on Request of Rafa's Tacos, Inc. dba Rafa's Tacos, 811 West 2nd Street for a Class "T" Liquor License. City Clerk RaNae Edwards reported that Rafa's Tacos, Inc. dba Rafa's Tacos, 811 West 2nd Street had submitted an application with the City Clerk's Office for a Class "T" Liquor License which allows for the sale of alcoholic beverages 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 on July 2, 2004; notice to applicant of date, time, and place of hearing mailed on July 2, 2004; notice to the general public of date, time, and place of hearing published on July 17, 2004; and Chapter 4 of the City Code. Rosalva Quezada, 2105 N. Nashville spoke in support. No further public testimony was heard.

Public Hearing for Acquisition of Right-of-Way and Public Utility Easement Along Stolley Park Road from U.S. Highway 281 West for Approximately 1/2 Mile. (E.N. & Merlene Roe, Tim & Susan Roe and New Holland, Inc.)) Steve Riehle, Public Works Director reported that acquisition of public right-of-way located along Stolley Park Road from U.S. Highway 281 west for approximately 1/2 mile was required in order to have access to maintain power appurtenances. This easement would be used for public utilities, roadway and drainage purposes. No public testimony was heard.

Public Hearing for Acquisition of Right-of-Way Along 13th Street West of the Highland Park Drainway (Drainway is Located Along the Shoemaker to Westridge Bike Trail). (Imogene & Teddy Lechner and Irene A. Neumann Revocable Living Trust) Steve Riehle, Public Works Department Director reported that acquisition of public right-of-way located along 13th Street west of Highland Park Drainway was required in order to complete construction of Sanitary Sewer District 510 and 514. 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 ordinance numbered:

#8924 – Consideration of Street Name Change of Phoenix Court and Phoenix Circle to McShannon Place, In McShannon 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 Whitesides seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Mayor: Is there any one in the audience interested in this Ordinance? Discussion was held by Council concerning the cost to residents if the name was changed. Roger McShannon, 809 S Vine spoke in support. No further public comment was heard.

Motion was made by Whitesides to deny Ordinance #8924, second by Pielstick. Upon roll call vote, Councilmembers Meyer, Whitesides, Pielstick, Nickerson, Hornady, Walker, and Haase voted aye. Councilmembers Gilbert and Cornelius voted no. Motion adoted.

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

#8925 – Consideration of Issuance by the Grand Island Area Solid Waste Agency – Solid Waste Disposal Facilities Revenue Refunding Bonds, Series 2004 and Management and Service Agreements

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 this Ordinance? Finance Director David Springer explained that Ordinance #8925 was the Council action needed to issue the Refunding Bonds for the Solid Waste Agency which Council voted on earlier.

City Clerk: Ordinance #8925 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 #8925 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 #8925 is declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Item G-5 was pulled from the consent agenda. Motion by Hornady, second by Pielstick, to approve the Consent Agenda excluding item G-5. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of July 12, 2004 City Council Joint Meeting. Councilmember Meyer abstained.

Approving Minutes of July 13, 2004 City Council Regular Meeting. It was noted that a correction needed to be made showing Councilmember Pielstick abstaining from voting on the claims. (So noted.)

Approving Minutes of July 20, 2004 City Council Study Session.

Approving Appointment of John Schultz to the Civil Service Commission.

Approving Request of Rosalva Quezada, 2105 Nashville for Liquor Manager Designation for Rafa's Tacos, 811 West 2nd Street.

#2004-174 – Approving Amendment to Community Redevelopment Authority (CRA) Redevelopment Plan and Authorizing Tax Increment Financing for Renovation of Facility at 504 & 512 Elm Street.

#2004-175 – Approving Acquisition of Right-of-Way and Public Utility Easement Along Stolley Park Road from U.S. Highway 281 West for Approximately 1/2 Mile.

#2004-176 – Approving Acquisition of Right-of-Way Along 13th Street West of the Highland Park Drainway (Drainway is Located Along the Shoemaker to Westridge Bike Trail)

#2004-179 – Approving Change Order No. 1 to the Contract for Street Improvement District No. 1251, Grand West Fourth Subdivision; Craig Drive, Morrison Drive, & Carol Street.

#2004-180 – Approving Certificate of Final Completion and Setting Board of Equalization Hearing Date for Street Improvement District No. 1251, Grand West Fourth Subdivision; Craig Drive, Morrison Drive, & Carol Street.

#2004-181 – Approving Bid Award for Widening Stolley Park Road West of U.S. Highway 281, Project 2004-P-8 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$650,154.90.

#2004-182 – Approving Certificate of Final Completion and Setting Board of Equalization Hearing Date for Water Extension District No. 445 and Water Main District No. 446T.

#2004-183 – Approving Final Completion for Repair and Renovation of Historic William Stolley House.

#2004-184 – Approving FY 2004-2005 User Fee Schedule.

#2004-185 – Approving FY 2004-2005 Annual Budget for Business Improvement District #3, South Locust Street from Stolley Park Road to Highway 34, and Setting Date for Board of Equalization.

#2004-186 – Approving FY 2004-2005 Annual Budget for Business Improvement District #4, South Locust Street from Stolley park Road to Fonner Park Road, and Setting Date for Board of Equalization.

#2004-187 – Approving FY 2004-2005 Annual Budget for Business Improvement District #5, Downtown, and Setting Date of Board of Equalization.

Approving Request of Rafa's Tacos, Inc. dba Rafa's Tacos, 811 West 2nd Street for Class "I" Liquor License. Discussion was held with regards to Rafa's Tacos failing to get the Fire and Building Department inspections completed as requested. Motion was made by Nickerson, second by Haase to forward this request to the Liquor Control Commission with no recommendation. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Horandy, carried unanimously to approve the Claims for the period of July 14, 2004 through July 27, 2004, for a total amount of \$3,138,605.46. Motion adopted. Councilmember Pielstick abstained from claim #3168.

EXECUTIVE SESSION: Motion by Hornady, second by Cornelius, to adjourn to Executive Session at 8:40 p.m. for the purpose of discussing real estate purchases. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Pielstick, second by Cornelius, to return to Regular Session at 9:35 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk