



# City of Grand Island

Tuesday, September 14, 2004

Council Session

## Item G1

### **Approving Minutes of August 24, 2004 City Council Regular Meeting**

*The Minutes of August 24, 2004 City Council Regular Meeting are submitted to approval.  
See attached MINUTES.*

Staff Contact: RaNae Edwards

## OFFICIAL PROCEEDINGS

### CITY OF GRAND ISLAND, NEBRASKA

#### MINUTES OF CITY COUNCIL REGULAR MEETING

August 24, 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 August 24, 2004. Notice of the meeting was given in the Grand Island Independent on August 18, 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, Walker, and Haase. Councilmember Hornady 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 Sheri Lodel, Calvary Lutheran Church, 1304 North Custer Avenue.

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

MAYOR COMMUNICATION: Mayor Vavricek commented on the death of Ken Wortman from Aurora. Mentioned was his outstanding public service.

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

#2004-BE-12 – Consideration of Determining Benefits for Street Improvement District No. 1251, Grand West Fourth Subdivision; Craig Drive, Morrison Drive, and Carol Street. Public Works Director Steve Riehle stated that work had been completed on Street Improvement District No. 1251 and action was required by the Council to set the assessments for this district. Motion by Pielstick, second by Cornelius, to approve Resolution #2004-BE-12, carried unanimously.

#2004-BE-13 – Consideration of Determining Benefits for Water Extension District No. 445, Blair and Kentish Hills Subdivisions. Utilities Director Gary Mader stated that work had been completed on Water Extension District No. 445 and action was required by the Council to set the assessments for this district. Motion by Walker, second by Pielstick, to approve Resolution #2004-BE-13. Upon roll call vote Councilmembers Meyer, Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Walker, and Haase voted yes. Councilmember Gilbert abstained. Motion adopted.

#2004-BE-14 – Consideration of Determining Benefits for Water Main District No. 446T. Utilities Director Gary Mader stated that work had been completed on Water Extension District No. 446T and action was required by the Council to set the assessments for this district. Motion by Cornelius, second by Haase, to approve Resolution #2004-BE-14, carried unanimously.

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

PUBLIC HEARINGS:

Public Hearing on Proposed Amendments to FY 2003-2004 Annual Budget. David Springer, Finance Director reported it was necessary to increase the current year's budgeted revenues and budgeted appropriations by a total of \$5,010,000 each for the retirement of the Series 1999 Various Purpose Bonds and the issuance of the Series 2004 Refunding Bonds and the retirement of the Series 1998 Solid Waste Revenue Bonds and the issuance of the Series 2004 Revenue Refunding Bonds. No public testimony was heard.

Public Hearing on Request of Crown Asphalt Products Company for a Conditional Use Permit for Temporary Office Trailer Located at 1820 Fairchild Lane. Craig Lewis, Building Department Director reported that an application had been submitted by Crown Asphalt Products Company for a Conditional Use Permit for a temporary office trailer located at 1820 Fairchild Lane. It was recommended that council approve the permit with the following conditions: 1) The permit be for a two year period only, any additional space needed should be in a permanent facility; 2) Sanitation facilities for employees should be provided to an approved system; and 3) No sleeping or dwelling accommodations should be provided or allowed on site. 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:

- #8927 – Consideration of Amendments to FY 2003-2004 Annual Budget
- #8928 – Consideration of Approving FY 2004-2005 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1
- #8929 – Consideration of Assessments for Street Improvement District No. 1251, Grand West Fourth Subdivision; Craig Drive, Morrison Drive, and Carol Street
- #8930 – Consideration of Assessments for Water Extension District No. 445, Blair and Kentish Hills Subdivisions

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 this Ordinance? No public comment was heard.

City Clerk: Ordinances #8927, #8928, #8929, and #8930 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. Councilmembers Pielstick and Haase voted no on Ordinance #8928. Councilmember Gilbert abstained from voting on Ordinance #8930. Motion adopted.

City Clerk: Ordinances #8927, #8928, #8929, and #8930 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. Councilmembers Pielstick and Haase voted no on Ordinance #8928. Councilmember Gilbert abstained from voting on Ordinance #8930. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8927, #8928, #8929, and #8930 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Item G-6 was pulled from the consent agenda. Motion was made by Cornelius, second by Haase, to approve the Consent Agenda excluding item G-6. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Tort Claim Filed by Anthony and Carly Huffman.

Approving Minutes of August 10, 2004 City Council Regular Meeting.

Approving Minutes of August 11, 2004 City Council Special Budget Meeting. Councilmember Cornelius abstained. It was noted that corrections to the minutes were made.

Approving Minutes of August 17, 2004 City Council Study Session.

Approving Request of Fonner Park Exposition and Events Center, Inc. for Ratification of Election of Board of Directors, Brian Hamilton, George Wanitschke, Vince Dowding, Jim Cannon, and John R. Brownell.

#2004-201 – Approving Connection Fees for Water Main District No. 446T, Part of Section 25-11-10.

#2004-202 – Approving Bid Award for Transmission Poles, Steel/Wood Equivalent with WESCO Distribution, Inc. of Grand Island, Nebraska in an Amount of \$121,736.04.

#2004-203 – Approving Bid Award for Turbine Packing Replacement Valve Overhaul with Power Generation Services of Anoka, Minnesota in an Amount of \$226,836.00 plus tax.

#2004-204 – Approving Addendum to Sales Agreement for 1209-1219 W. North Front Street (Thompson Building).

#2004-205 – Approving Bid Award for (2) Playground Structures with Churchich Recreation Design, Inc. of Omaha, Nebraska for (1) Playground Structure at Ryder Park in an Amount of \$20,000.00 and ABCreative, Inc. of Omaha, Nebraska for (1) Playground Structure at Chevron Park in an Amount of \$27,010.00.

#2004-206 – Approving Outside Funding for Hope Harbor f/k/a Community Humanitarian Resource Center in an Amount of \$4,500.00.

#2004-207 – Approving Outside Funding for The Crisis Center, Inc., in an Amount of \$12,000.00.

#2004-208 – Approving Outside Funding for the Grand Island Area Council for International Visitors in an Amount of \$1,000.00.

#2004-209 – Approving Outside Funding for the Grand Island/Hall County Convention & Visitors Bureau in an Amount of \$10,000.00.

#2004-210 – Approving Outside Funding for the Retired Senior Volunteer Program in an Amount of \$10,000.00.

#2004-211 – Approving Outside Funding for the Senior Citizens Industries, Inc. in an Amount of \$15,000.00.

#2004-212 – Approving Outside Funding for Clean Community System in an Amount of \$20,000.00.

#2004-213 – Approving Certificate of Final Completion for Asphalt Maintenance Project 2004-AC-1; Located in Various Locations in Grand Island with Gary Smith Construction Co., Inc. of Grand Island, Nebraska.

#2004-214 – Approving Bid Award for Street Improvement District No. 1253, Island Circle, West of Webb Road in Lacy Subdivision with the Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$99,265.26.

#2004-215 – Approving Bid Award for Vehicle Exhaust Removal Systems with Air Clean Technologies, Inc., of Bonner Springs, Kansas in an Amount of \$53,550.00.

Approving Request of Crown Asphalt Products Company for Conditional Use Permit for Temporary Office Trailer Located at 1820 Fairchild Lane. Craig Lewis, Building Department Director answered questions and explained that it was recommended the following conditions would apply: 1) The permit be for a two year period only, any additional space needed should be in a permanent facility; 2) Sanitation facilities for employees should be provided to an approved system; and 3) No sleeping or dwelling accommodations should be provided or allowed on site.

Motion was made by Whitesides, second by Haase to approve the request of Crown Asphalt Products Company for a Conditional Use Permit with the above stated conditions. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2004-216 – Consideration of Approving 1% Increase to the Lid Limit. David Springer, Finance Director reported that in 1998 the Nebraska State Legislature passed LB989, which put a cap on the amount of restricted revenues a political subdivision could budget for. The restricted revenues that the City of Grand Island included in the budget were Property Taxes, Local Option Sales Tax, Motor Vehicle Tax and State Aid. Of those restricted revenues, property tax was the only revenue that the City could control. The increase in restricted funds authority using the 1% additional amount and the population growth (when available) was not an increase in budgeted revenues. It only provided the ability to increase restricted revenues, particularly property tax, in a future year if necessary.

Lewis Kent, 624 E. Meves spoke in opposition.

Motion was made by Whitesides, second by Nickerson to approve Resolution #2004-216. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Meyer, approve the Claims for the period of August 11, 2004 through August 24, 2004, for a total amount of \$2,416,724.62. Motion adopted. Councilmember Pielstick abstained from voting on claim #78086.

ADJOURNMENT: The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

RaNae Edwards  
City Clerk