



City of Grand Island

Tuesday, October 26, 2004

Council Session

Item G1

Approving Minutes of October 12, 2004 City Council Regular Meeting

*The Minutes of October 12, 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

October 12, 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 October 12, 2004. Notice of the meeting was given in the *Grand Island Independent* on October 6, 2004.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Gilbert, Cornelius, Pauly, Hornady, Walker, and Haase. Councilmember Nickerson 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.

INVOCATION was given by Council President Jackie Pielstick followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Teresa Anderson, Health Department Director who remarked about the shortage of the flu vaccine and encouraged those who were healthy to “Know When to Pass” on getting a flu shot.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation “Clergy Appreciation Month” October 2004.

Recognition of Captain Kevin Harris, Firefighter with the Grand Island Fire Department for 25 Years of Service with the City. Kevin Harris was present for the recognition.

Recognition of Jodi Halm, Accounting Clerk with the Finance Department for 20 Years of Service with the City. Jodi Halm was present for the recognition. Finance Director David Springer commented on the service of Ms. Halm.

Presentation by Marlan Ferguson, Economic Development President Relative to Economic Development Activities in Grand Island and Hall County.

PUBLIC HEARINGS:

Public Hearing on Request of Orozco’s Corporation dba El Diamante Night Club, 1600 South Eddy Street for Class “I” Liquor License. City Clerk RaNae Edwards reported that Orozco’s Corporation dba El Diamante Night Club, 1600 South Eddy Street had submitted an application with the City’ Clerk’s Office for a Class “I” 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 of September 20, 2004; notice to the applicant of date, time, and place of hearing mailed on September 20, 2004; notice to the general public of date, time, and place of hearing published on October 2, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3604 South Blaine Street. (Meadowlark Estates, Inc.) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 3604 South Blaine Street was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to place underground cable and a junction box along the south side of Meadowlark Estates. No public testimony was heard.

Public Hearing on the Acquisition of Four (4) Public Utility Easements Along the Properties of 3917 & 3923 Partridge Circle and 1609 & 1615 Meadow Road. (Little B's Corporation) Steve Riehle, Public Works Director reported that acquisition of (4) public utility easements located along the properties of 3917 & 3923 Partridge Circle and 1609 & 1615 Meadow Road were required in order to have access to maintain the necessary storm drainage. No public testimony was heard.

Public Hearing on the Acquisition of a Public Utility Easement South of Capital Avenue and West of Diers Avenue. (John R. Menard) Steve Riehle, Public Works Director reported that acquisition of a public utility easement south of Capital Avenue and west of Diers Avenue was required in order to have access to install and maintain the necessary storm drainage. No public testimony was heard.

Public Hearing Concerning the Semi-Annual Report by the Citizens' Review Committee on the Economic Development Program Plan. Doug Walker, City Attorney reported that State Statute and City Code required the Citizens' Review Committee to make a semi-annual report to the City Council. Tim White, Chairman of the Citizens' Advisory Review Committee presented the Economic Development Program Plan. Gary Kelsch, 1808 West 2nd Street spoke in support. No further public testimony was heard.

ORDINANCE:

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

#8937 - Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Animals

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 this ordinance 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.

Dennis Benson, 1008 East 5th Street spoke in support.

Motion was made by Pielstick, second by Whitesides to approve Ordinance #8937.

City Clerk: Ordinance #8937 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 #8937 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 #8937 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Councilmember Pielstick requested Item G-6 be removed from the Consent Agenda. Motion by Hornady, second by Cornelius to approve the Consent Agenda excluding item G-6. Upon roll call vote, all voted aye. Motion adopted.

Receipt of the Economic Development Program Plan Report.

Approving Minutes of September 28, 2004 City Council Regular Meeting. Councilmember Walker abstained.

Approving Minutes of October 5, 2004 City Council Study Session.

Approving the Appointments of Anita Lewandowski, Jose Zapata, Kerri Nazareus, and John Briseno to the Human Rights Commission.

Approving Reappointment of Glen Murray to the Community Redevelopment Authority Board.

Approving Request of Rafael Orozco, 2105 North Nashville for Liquor Manager Designation for El Diamante Night Club, 1600 South Eddy Street.

Approving Request of Cara Murphy, 1212 N. Sycamore Street for Liquor Manager Designation for Pump & Pantry #3, 2511 Diers Avenue.

#2004-249 – Approving Final Plat and Subdivision Agreement for Obermeier Subdivision.

#2004-250 – Approving Funding of Economic Development Request for NWPS Rate Agreement Funds.

#2004-251 – Approving Revision to Copier Lease with Imagistics International, Inc. of Grand Island, Nebraska for an additional cost of \$123.93 per month.

#2004-252 – Approving Acquisition of Utility Easement Located at 3604 S. Blaine Street. (Meadowlark Estates, Inc.)

#2004-253 – Approving Bid Award for Rogers Pump Station Pump #3 Installation with Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$324,944.04.

#2004-254 – Approving Bid Award for Motor Control Center – Rogers Pumping Station with Hupp Electric Motors of Cedar Rapids, Iowa, in an Amount of \$60,571.00 plus tax.

#2004-255 – Approving Bid Award for Platte River Well Field Contract 2005-WF-1 with Platte Valley Construction Company of Grand Island, Nebraska in an Amount of \$23,745.03.

#2004-256 – Approving Acquisition of Four (4) Public Utility Easements Along the Properties of 3917 & 3923 Partridge Circle and 1609 & 1615 Meadow Road. (Little B's Corporation)

#2004-257 – Approving Acquisition of a Public Utility Easement Located South of Capital Avenue and West of Diers Avenue. (John R. Menard)

#2004-258 – Approving Bid Award for Snow Removal Services with Diamond Engineering Company of Grand Island, Nebraska for the following amounts per hour: Truck Plows - \$95.00; Front End Loaders - \$90.00; Motor Graders - \$110.00; and Hauling Snow - \$85.00.

#2004-259 – Approving Bid Award for a Landfill Compactor with Al-Jon, Inc. of Ottumwa, Iowa in an Amount of \$391,000.00.

#2004-260 – Approving Bid Award for Color Copier with Imagistics, Inc. of Grand Island, Nebraska in an Amount of \$490.35 per month.

#2004-261 – Approving Installation of a Yield Sign at the Intersection of Sweetwood Drive and Driftwood Drive.

#2004-262 – Approving Renewal of Interlocal Agreement with Hall County Relative to Juvenile Accountability Program.

#2004-263 – Approving Contract for Web Page Rebuild with KDS Internet of Grand Island, Nebraska in an Amount not to exceed \$25,000.00 plus monthly web hosting fee of \$49.95.

#2004-264 – Approving Balance of Funds for Galvanized Steel Exterior Box Corrugated Culverts at CAAP with CONTECH Construction Products, Inc. of Lincoln, Nebraska in an Amount of \$20,203.20.

Approving Request of Orozco's Corporation dba El Diamante Night Club, 1600 South Eddy Street for a Class "I" Liquor License. Discussion was had on the location of this business being close to residential property.

Motion was made by Pielstick, second by Walker to forward this request to the Liquor Control Commission with no recommendation. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2004-265 – Approving Economic Development Incentive Agreement with Heritage Disposal and Storage LLC in an Amount of \$100,000.00. City Attorney Doug Walker reported that the Economic Development Corporation had taken the application of Heritage Disposal and Storage Corporation for a \$100,000.00 forgivable loan as an incentive to assist with the location of an ammunition disposal facility in the City of Grand Island. Mark Vess owner of Heritage Disposal and Storage Corporation spoke in support.

Motion by Pielstick, second by Hornady to approve Resolution #2004-265. Upon roll call vote, all voted aye. Motion adopted.

#2004-266 – Approving Economic Development Funding Request. Finance Director David Springer reported that a requested had been received from the Grand Island Area Economic Development Corporation for annual funding of \$350,000.00.

Motion by Hornady, second by Cornelius to approve Resolution #2004-266. Upon roll call vote, all voted aye. Motion adopted.

#2004-267 – Approving Authorization for The Diamond Engineering Company of Grand Island, Nebraska to Perform Emergency Repair Near the Intersection of Plum Street and Sutherland Street. Public Works Director Steve Riehle reported that a ten foot section of the street near the intersection of Plum Street and Sutherland Street had collapsed and had created a five foot deep hole. Mr. Riehle stated City procurement code limited the dollar amount whereby City staff could hire a contractor so permission was requested to acquire the services of The Diamond Engineering Company of Grand Island, Nebraska to perform the necessary emergency repairs.

Motion by Hornady, second by Cornelius to approve Resolution #2004-267. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady to approve the Claims for the period of September 29, 2004 through October 12, 2004, for a total amount of \$3,616,893.43. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:30 p.m.

RaNae Edwards
City Clerk