



City of Grand Island

Tuesday, December 07, 2004

Council Session

Item -1

Approving Minutes of November 23, 2004 City Council Regular Meeting

The Minutes of November 23, 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

November 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 November 23, 2004. Notice of the meeting was given in the *Grand Island Independent* on November 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, Nickerson, 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.

INVOCATION was given by Pastor Curtis Holzworth, Evangelical Free Church, 2609 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek commented on the property tax impact of Grand Island with a negative 3.1% compared to other communities in the state.

PUBLIC HEARINGS:

Public Hearing on Changes to the Grand Island Zoning Map for Lots 1 & 2, Block 1, Academy Heights Subdivision Located South of Capital Avenue and West of Hancock Avenue from R2 Low Density Residential to RD Residential Development. Regional Planning Director Chad Nabity reported that Todd Enck, developer had submitted a proposal to change the zoning for Lots 1 & 2, Block 1, Academy Heights Subdivision from R2 Low Density Residential to RD Residential Development. Mr. Nabity commented that this item related to the Preliminary and Final Plat for Via Milano Subdivision before Council at this meeting. Steve Johnson, 3535 Blaine Street, David Vaughn, 301 West 2nd Street, and Todd Enck, 511 Fleetwood Circle spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Sanitary Sewer Easement Located West of Fonner Park Main Building East of South Locust Street. (Hall County Livestock Improvement Association) Steve Riehle, Public Works Director reported that acquisition of a sanitary sewer easement located west of Fonner Park Main Building, east of South Locust Street was required in order to have access to install, upgrade, maintain, and repair public utilities and appurtenances. The easement would be used for construction of public sanitary sewer to serve the Heartland Events Center. No public testimony was heard.

Public Hearing on Acquisition of Hike/Bike Path Easement Located Along the East Side of U.S. Highway 281 and South Side of U.S. Highway 34. (The Museum Board of Hall County Nebraska) Steve Paustian, Parks & Recreation Director reported that over the last few months the City had been negotiating with Stuhr Museum representatives for an easement located along the east side of U.S. Highway 281 and the south side of U.S. Highway 34 to extend the Hike/Bike Trail across museum property. The easement would be used to install, upgrade, maintain, and repair a hike/bike path along the west and north side of the Stuhr Museum property at U.S. Highway 281 and U.S. Highway 34. No public testimony was heard.

ORDINANCES:

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

- #8942 - Consideration of Vacating Easement and Right of Way Located on Lot 1, Heartland Event Center First Subdivision
- #8943 – Consideration of Zoning Change to the Grand Island Zoning Map for Lots 1 & 2, Block 1, Academy Heights Subdivision Located South of Capital Avenue and West of Hancock Avenue from R2 Low Density Residential to RD Residential Development
- #8944 – Consideration of Issuing Building Bonds for Heartland Events Center, Second Addendum to the Lease Purchase Agreement, Management Agreement and Parking Rights and Access Agreement

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 Haase seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Utilities Director Gary Mader reported that Ordinance #8942 vacated an easement to allow for construction of the new Heartland Events Center.

Regional Planning Director Chad Nabity reported that Ordinance #8943 was for the zoning change with regards to the Via Milano Subdivision. Discussion was held with regards to concern of the 20’ private street, maintenance of the street, and sidewalks.

City Attorney Doug Walker reported that Ordinance #8944 was for bonding the construction of the Heartland Events Center. Included was an Addendum to the Lease Purchase Agreement, Management Agreement and Parking Rights and Access Agreement. Mr. Walker introduced Bill Beavers and Bruce Lefler representing Ameritas Investment Corporation. They reported the successful sale of the bonds at an interest rate of 4.12%.

Motion was made by Cornelius, second by Hornady to approve Ordinances #8942 and #8944.

City Clerk: Ordinances #8942 and #8944 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 #8942 and #8944 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 #8942 and #8944 are declared to be lawfully adopted upon publication as required by law.

Motion was made by Pielstick, second by Hornady to approve Ordinance #8943.

City Clerk: Ordinance #8943 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmembers Meyer and Gilbert voted no. Motion adopted.

City Clerk: Ordinance #8943 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmembers Meyer and Gilbert voted no. Motion adopted.

Mayor: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8943 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Item G-5 was removed from the Consent Agenda. Motion by Hornady, second by Gilbert to approve the Consent Agenda excluding item G5. Upon roll call vote, all voted aye. Motion adopted.

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

Approving Minutes of November 16, 2004 City Council Study Session.

Approving Preliminary Plat for Via Milano Subdivision. Councilmember Meyer voted no.

#2004-293 – Approving Final Plat and Development Agreement for Via Milano Subdivision. Councilmember Meyer voted no.

#2004-295 – Approving Bid Award for Tree Trimming Contract 2005-TT-1 with Tom's Tree Service of Grand Island, Nebraska in an Amount of \$29,900.00; Sheffield Tree Service of Grand Island, Nebraska in an Amount of \$15,700.00; and Wright Tree Service, Inc. of Grand Island, Nebraska in an Amount of \$87,828.75.

#2004-296 – Approving Bid Award for Water Main Project 2005-W-1 and Sanitary Sewer Project 2004-S-12 with Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$189,684.76.

#2004-297 – Approving Wireline Crossing Agreement with Union Pacific Railroad in an Amount of \$1,500.00.

#2004-298 – Approving UP Circular 111 with Union Pacific Railroad for Continued Coal Transportation to the Platte Generating Station for the years 2005, 2006 and 2007.

#2004-299 – Approving Participation in NPPD's Ainsworth Wind Energy Facility.

#2004-300 – Approving Acquisition of Utility Easement Located West of Fonner Park Main Building and East of South Locust Street. (Hall County Livestock Improvement Association)

#2004-301 – Approving Keno Satellite Location and Agreement for The Chicken Coop of Grand Island, Inc., 120 East Third Street.

#2004-302 – Approving Agreement with ROCO Rescue Training Programs of Baton Rouge, Louisiana for Rescue Training Grant in an Amount of \$12,687.40.

#2004-303 – Approving Funding for Relocation of Utilities at the Heartland Events Center in an Amount of \$440,000.00.

#2004-304 – Approving Contract with the Central Nebraska Ethnic Festival for Office Space and Supplies, and use of Office Equipment.

#2004-305 – Approving Acquisition of Hike/Bike Path Easement Located Along the East Side of U.S. Highway 281 and South Side of U.S. Highway 34. (The Museum Board of Hall County Nebraska.)

#2004-306 – Approving 2005-2006 Coal Supply Agreement with Kennecott Energy Company of Gillette, Wyoming.

#2004-307 – Approving New Pedestrian Crossing Agreement with Union Pacific Railroad Company.

#2004-294 – Approving Creation of a Public Building Commission and Appointing Kirk Ramsey, Terry Loschen, Tom Graves, Dee Price, and Roger Bullington to the Board. City Attorney Doug Walker reported that the Public Building Commission was a non-profit corporation created to assist and promote the development of public facilities to be used by the City of Grand Island. City Administrator Gary Greer explained the purpose of the corporation which was to issue tax exempt bonds and enter into lease purchase agreements with the City. Discussion was held with regards to open meetings, council input, and types of projects that would be eligible.

Motion was made by Pielstick, second by Hornady to approve Resolution #2004-294. 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 November 10, 2004 through November 23, 2004, for a total amount of \$2,420,340.16. Motion adopted unanimously.

EXECUTIVE SESSION: Motion by Hornady, second by Cornelius to adjourn to Executive Session at 8:05 p.m. for the purpose of discussing property negotiations. Motion adopted unanimously.

RETURN TO REGULAR SESSION: Motion by Cornelius, second by Haase to return to Regular Session at 8:55 p.m. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 8:55 p.m.

RaNae Edwards
City Clerk