



City of Grand Island

Tuesday, November 23, 2004

Council Session

Item G1

Approving Minutes of November 9, 2004 City Council Regular Meeting

*The Minutes of November 9, 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 9, 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 9, 2004. Notice of the meeting was given in the *Grand Island Independent* on November 3, 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 Todd Bowen, Grace Covenant Church, 418 West 12th Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "American Education Week" November 15-19, 2004. Linda Reilly from Dodge Elementary School was present.

Proclamation "Veterans Appreciation Week" November 8-14, 2004. Richard Simpson, Chairman of the United Veteran's Club and several Veteran's in the audience were recognized.

PUBLIC HEARINGS:

Public Hearing on Request of Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 for Class "I" Liquor License. City Clerk RaNae Edwards reported that Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 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 October 20, 2004; notice to the applicant of date, time, and place of hearing mailed on October 20, 2004; notice to the general public of date, time, and place of hearing published on October 30, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Request of Harold and Lois Hudiburgh dba Island Liquor, 222 West Stolley Park Road for Class "D" Liquor License. City Clerk RaNae Edwards reported that Harold and Lois Hudiburgh dba Island Liquor, 222 West Stolley Park Road had submitted an application with the City' Clerk's Office for a Class 'D' Liquor License which allows for the sale of alcoholic beverages off 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 October 21, 2004; notice to the applicant of date, time, and place of hearing mailed on October 21, 2004; notice to the general public of date, time, and place of hearing published on October 30, 2004; and Chapter 4 of the City Code. Ms. Edwards recommended approval contingent upon final inspections. Tom Wagoner, Attorney for the Hudiburgh's spoke in support and was present to answer questions. No further public testimony was heard.

Public Hearing on Request of Hi Brand G.I. dba Old Chicago, 3404 West 13th Street for Class 'I' Liquor License. City Clerk RaNae Edwards reported that Hi Brand G.I. dba Old Chicago, 3404 West 13th 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 October 22, 2004; notice to the applicant of date, time, and place of hearing mailed on October 25, 2004; notice to the general public of date, time, and place of hearing published on October 30, 2004; and Chapter 4 of the City Code. Ms. Edwards recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 850 Allen Drive. (Platte Valley State Bank) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 850 Allen Drive 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 high voltage underground cables and a pad-mounted transformer to serve the new bank. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at the West Edge of Fonner Park Parking Lot from Fonner Park Road to Stolley Park Road. (Hall County Livestock Improvement Association) Gary Mader, Utilities Director reported that acquisition of a utility easement located at the west edge of Fonner Park Parking Lot was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The addition of the new Heartland Events Center building would require the relocation of electric and water lines. No public testimony was heard.

Public Hearing on Acquisition of Real Estate Located at 1216 West 2nd Street. (Grand Island Public Library Foundation, Inc.) Doug Walker, City Attorney reported that the Grand Island Library Foundation had begun acquiring property in the block west of the city library for use in expanding the library facility. The Library Foundation was donating the property located at 1216 West 2nd Street to the City of Grand Island. No public testimony was heard.

Public Hearing on Acquisition of Real Estates Located as Lot 1, Heartland Event Center First Subdivision. (Fonner Park Exposition and Events Center, Inc.) Doug Walker, City Attorney reported that as part of the Lease Purchase Agreement between the City of Grand Island and Fonner Park Exposition and Event Center, Inc., the city was to receive the tract of real estate west of the Fonner Park grandstand on which the Heartland Event Center would be constructed.

Once all payments had been made the city would receive full legal title. 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:

#8940 - Consideration of Amending Chapter 15 of the Grand Island City Code Relative to Electric Utility Rates

#8941 – Consideration of Amending Chapter 17 of the Grand Island City Code Relative to Code Compliance

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

Motion was made by Pielstick, second by Cornelius to approve Ordinances #8940 and #8941.

City Clerk: Ordinances #8940 and #8941 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 #8940 and #8941 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 #8940 and #8941 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Hornady, second by Cornelius to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of October 26, 2004 City Council Regular Meeting.

Approving Minutes of November 2, 2004 City Council Study Session.

Approving the Reappointment of Nadine Matthews to the Animal Advisory Board.

Approving Request of Rona Kucera dba Flight Deck, 3773 Skypark Road, Suite 5 for a Class “I” Liquor License.

Approving Request of Harold and Lois Hudiburgh dba Island Liquor, 222 West Stolley Park Road for a Class “D” Liquor License.

Approving Request of Hi Brand G.I. dba Old Chicago, 3404 West 13th Street for a Class "I" Liquor License.

Approving Request of Michelle Vanluchene, 1308 Birch Street, Aurora, Nebraska for Liquor Manager Designation for Old Chicago, 3404 West 13th Street.

#2004-278 - Approving Contract for Vending Machine Services at City Hall with VVS, Inc. of Cozad, Nebraska.

#2004-279 - Approving Acquisition of Utility Easement Located at 850 Allen Drive. (Platte Valley State Bank)

#2004-280 - Approving Acquisition of Utility Easement Located Along the West Edge of Fonner Park Parking Lot from Fonner Park Road to Stolley Park Road. (Hall County Livestock Improvement Association)

#2004-281 - Approving Award of RFP for Emergency Response Agreement with Haz-Mat Response, Inc. of Olathe, Kansas.

#2004-282 - Approving Final Plat and Subdivision Agreement for Heartland Events Center First Subdivision.

#2004-283 – Approving Acquisition of Real Estate Located at 1216 West 2nd Street. (Grand Island Public Library Foundation, Inc.)

#2004-284 – Approving Acquisition of Real Estate Located as Lot 1, Heartland Event Center First Subdivision. (Fonner Park Exposition and Events Center, Inc.)

#2004-285 – Approving Agreement with Olsson Associates for Engineering Consulting Services for Widening of Capital Avenue West of US Highway 281 in an Amount not to exceed \$139,210.00.

#2004-286 – Approving Time Extension of November 5, 2004 to the Contract with The Diamond Engineering Company for Construction of Street Improvement District 1253, Island Circle, West of Webb Road, in Lacy Subdivision.

#2004-287 – Approving State Bid for Tractor Loader Backhoe for the Street & Transportation Division with Logan Contractors Supply, Inc. of Omaha, Nebraska in an Amount of \$56,205.74.

#2004-288 – Approving Bid Award for Stuhr Hike/Bike Trail Construction with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$137,463.25.

#2004-289 – Approving Contract for Site & Needs Study for the Fire Department with RDG Schutte Wilscam Dirge, Inc. of Omaha, Nebraska in an Amount not to exceed \$21,000.00.

#2004-290 – Approving Purchase of a Mail Machine and Inserter and Postage Machine from State Bid, and Maintenance Contract with Pitney Bowes, Inc. of Omaha, Nebraska in an Amount of \$42,256 for Purchase of Mail Machine and Inserter ; \$1,008.00 Annual Rental for Postage Meter; and \$4,376.00 Annual Rate for Maintenance Contract.

#2004-291 – Approving Authorization to Transfer Code Compliance Duties to the Police Department.

#2004-292 – Approving Amendment to Personnel FTE Budget for Grand Island Public Library.

#2004-225 – Approving Bid Award for Well Field Wells #2, 3, 10 an 11 Enclosures at Platte River Well Field with Steel Crafters, Inc. of Grand Island, Nebraska in an Amount not to exceed \$67,309.00.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of October 27, 2004 through November 9, 2004, for a total amount of \$2,403,517.60. Motion adopted. Councilmember Pielstick abstained from Claim #83977 and Councilmember Hornady abstained from Claims #83728 and #83729.

ADJOURNMENT: The meeting was adjourned at 7:25 p.m.

RaNae Edwards
City Clerk