



City of Grand Island

Tuesday, January 11, 2005

Council Session

Item G1

Approving Minutes of December 21, 2004 City Council Regular Meeting

The Minutes of December 21, 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

December 21, 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 December 21, 2004. Notice of the meeting was given in the *Grand Island Independent* on December 15, 2004.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmember's 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 Nancy Lambert, Trinity United Methodist Church, 511 North Elm Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Musical Presentation by Interfaith Inspirations. The musical group Interfaith Inspirations performed several Christmas selections for the enjoyment of those present and the viewing audience in light of the holiday season.

MAYOR COMMUNICATION – STATE OF THE CITY ADDRESS:

Mayor Vavricek commented that the efforts of the City of Grand Island were all about “people”. Mentioned were the unprecedented growth and greater government efficiencies in 2004. Mayor Vavricek commented on the following activities that had taken place over the last year:

- Addition of Gary Greer as City Administrator
- Tax Payer Savings
- Successful Job Recruitment
- Expansion in Economic Development
- Record Year for New Construction
- Preparation of a New Public Safety Center, Fire Station Replacement, and Expansion of the City Library
- Improvements to the Grand Generation Center and Wastewater Treatment Plant
- Additional Hike/Bike Trails, Heartland Shooting Park, and the Heartland Events Center
- Discussions Concerning Homeland Security and Grand Island as a “Training City”
- Increased Public Safety

Mayor Vavricek thanked the citizens of Grand Island for the opportunity to serve them and the City Council for their leadership and devotion to the community.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Property Located at 1613 West Division Street. (Old Wasmer School Property) This item was pulled from the Agenda until the January 11, 2005 City Council Regular Meeting.

Public Hearing Concerning Changes to Chapter 36 of the Grand Island City Code. Chad Nabity, Regional Planning Director reported that the proposed changes were intended to correct omissions and typographical errors in Chapter 36. No public testimony was heard.

Public Hearing on Request of Ruff's Bar, Inc. dba Ed & Nets, 311 North Walnut Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that Ruff's Bar, Inc. dba Ed & Nets, 311 North Walnut Street had submitted an application with the City's Clerk's Office for a Class "C" Liquor License which allows for the sale of alcoholic beverages on and off sale 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 December 8, 2004; notice to the applicant of date, time, and place of hearing mailed on December 8, 2004; notice to the general public of date, time, and place of hearing published on December 11, 2004; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at the Northeast Corner of Gregory Avenue and Shady Bend Road. (Robert & Lynn Flint Widdifield) Gary Mader, Utilities Director reported that acquisition of a utility easement located at the northeast corner of Gregory Avenue and Shady Bend Road 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 locate a single phase pad-mounted transformer and primary cable to serve electricity to a new home. 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:

- #8945 - Consideration of Conveyance of Portion of Vacated 16th Street
- #8946 – Consideration of Corrections and Updates to City Code, Chapter 15, Electricity
- #8947 – Consideration of Amendments to Chapter 36 of the Grand Island City Code

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.

City Attorney Doug Walker reported that Ordinance #8945 was the conveyance of the vacated portion of 16th Street to GI Venture, L.P. which had been approved by Council on October 5,

1970 but had not been filed with the Register of Deeds Office. This Ordinance would clear the title. Utilities Director Gary Mader reported that Ordinance #8946 was to correct errors within Chapter 15 of the City Code relating to Electricity. Regional Planning Director Chad Nabity reported that Ordinance #8947 related to the aforementioned Public Hearing Item E-2.

Motion was made by Pielstick, second by Hornady to approve Ordinances #8945, #8946 and #8947.

City Clerk: Ordinances #8945, #8946 and #8947 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 #8945, #8946 and #8947 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 #8945, #8946 and #8947 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Item G-14 was pulled from the Consent Agenda to the January 11, 2005 Council Meeting. Item G-15 was pulled for further discussion. Motion by Hornady, second by Gilbert to approve the Consent Agenda excluding Items G-14 and G-15. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Tort Claim Filed by Todd and Jeannine Elsbernd

Approving Minutes of December 7, 2004 City Council Regular Meeting.

Approving Minutes of December 14, 2004 City Council Study Session.

Approving the Following Councilmember Appointments to Boards and Commissions: Building Code Advisory Board – Bob Meyer; Business Improvement District #3 – Fred Whitesides; Business Improvement District #4 – Bob Meyer; Business Improvement District #5 – Jackie Pielstick; City/County Communications/Civil Defense Committee – Fred Whitesides, Peg Gilbert, & Scott Walker; Community Development Advisory Board – Jackie Pielstick; Community Redevelopment Authority (CRA) – Margaret Hornady; Grand Island Area Economic Development Corporation – Peg Gilbert; Library Board – Margaret Hornady; Problem Resolution Team – Jackie Pielstick & Bob Meyer; Regional Planning Commission – Joyce Haase & Mitch Nickerson; Systems Information Advisory Committee (City/County) – Mitch Nickerson; Transportation Committee – Don Pauly & Peg Gilbert; and Multi-Cultural Coalition – Carole Cornelius.

Approving Appointments of Todd Morgan, Tom Cox, and Scott Kuehl to the Firefighters Pension Board.

Approving Appointments of Sgt. Clyde church, Sgt. Kerry Cole, Officer Mark Dreher, and Officer Kelly Mossman to the Police Pension Board.

Approving Request of Ruff's Bar, Inc. dba Ed & Nets, 311 North Walnut Street for a Class "C" Liquor License.

Approving Request of Andrew Meier, 123 Meadowlark Circle, Doniphan, Nebraska for Liquor Manager Designation for Ed & Nets, 311 North Walnut Street.

#2004-315 – Approving Final Plat & Subdivision Agreement for Baxter First Subdivision. It was noted that Little B's Corporation, owner had submitted the final plat for Baxter First Subdivision, located on land comprising of the SW 1/4 NW 1/4 in Section 10-11-10 for the purpose of creating 1 lot.

#2004-316 – Approving Final Plat & Subdivision Agreement for Fairacres Dairy Eighth Subdivision. It was noted that Kenneth and Karen Lancaster, owners had submitted the final plat for Fairacres Dairy Eighth Subdivision, located east of Shady Bend Road and south of U.S. Highway 30 for the purpose of creating 2 lots on land comprising of Lot 1 Fairacres Dairy Fourth Subdivision.

#2004-317 – Approving Final Plat & Subdivision Agreement for Poland Subdivision. It was noted that Robert and Judith Poland, owners had submitted the final plat for Poland Subdivision, located on land comprising of part of Lots 3 & 4 Island & part of the W 1/2 SE 1/4 SW 1/4 and part of the NW 1/4 SE 1/4 of Section 23-11-09 for the purpose of creating 1 lot.

#2004-318 – Approving Bid Award for Plant Data Acquisition System for the Utilities Department with Rovisys of Aurora, Ohio in an Amount of \$49,809 plus tax.

#2004-319 – Approving Acquisition of Utility Easement Located in the Northeast Corner of Gregory Avenue and Shady Bend Road. (Roberty & Lynn Flint Widdifield)

#2004-320 – Approving Acquisition of Property Located at 1613 West Division Street. (Old Wasmer School Property) This item was removed from the Agenda to the January 11, 2005 Regular Council Meeting.

#2004-322 – Approving Change Order #2 for the Grand Generation Center Addition and Renovation with Starostka Group, Inc. of Grand Island, Nebraska for a Decrease in the Amount of \$29,992.00.

#2004-323 – Approving Contract for Design for Public Safety Facility with Wilson Estes Police Architects of Mission, Kansas in an Amount of \$490,000.00 plus Reimbursable Expenses. Councilmember Nickerson complimented Assistant City Attorney Dale Shotkoski and Captain Robert Falldorf for negotiating the price down to \$490,000 from \$580,000.

#2004-324 – Approving Certificate of Final Completion for Traffic Signal Project 2004-TS-1 (Flashing Yellow Warning Lights Along US Hwy 281) with Ensley Electric Services, Inc. of

Grand Island, Nebraska. Councilmember Walker thanked the Public Works Department on how nice the flashing lights were and the positive comments he had received.

#2004-325 – Approving State Bid Award for One (1) Case 621D Wheel Loader for the Wastewater Division of the Public Works Department with Midland Equipment of Lincoln, Nebraska in an Amount of \$93,496.00.

#2004-326 – Approving State Bid Award for One (1) F-350 Ford Pickup Truck for the Wastewater Division of the Public Works Department with Anderson Ford Lincoln Mercury of Grand Island, Nebraska in an Amount of \$30,790.00.

#2004-321 – Approving Revisions to the Employee Handbook. Brenda Sutherland, Human Resources Director explained each of the changes to the Employee Handbook. Discussion was held regarding short term disability, community leave bank, light duty policy, and the Emergency Management Center residency requirement. Councilmember's Haase and Pielstick voice concerns of the 25 mile residency requirement. Tuition reimbursement was discussed with regards to employees leaving after they had received their education. Councilmember Meyer spoke in support of the tuition reimbursement.

Motion by Nickerson, second by Gilbert to approve Resolution #2004-321. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of December 8, 2004 through December 21, 2004, for a total amount of \$2,908,772.41. Motion adopted unanimously. Councilmember Haase abstained from Claim #87599.

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

RaNae Edwards
City Clerk