



City of Grand Island

Tuesday, January 25, 2005

Council Session

Item G1

Approving Minutes of January 11, 2005 City Council Regular Meeting

*The Minutes of January 11, 2005 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

January 11, 2005

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 January 11, 2005. Notice of the meeting was given in the *Grand Island Independent* on January 5, 2005.

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 Onamae Waddel, Trinity United Methodist Church, 511 North Elm Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "National Mentoring Month" January 2005. The Mayor proclaimed the month of January 2005 as "National Mentoring Month". Nancy Jones, Coordinator for Team Mates and Gary Gilbert, Director for Big Brothers Big Sisters and guests were present.

Recognition and Retirement of Jeri Garrouette for 30 Years of Service with the City of Grand Island. The Mayor and City Council recognized Jeri Garrouette with the Community Development Department for her 30 years of service with the City and wished her well in her retirement. Jeri Garrouette was present and commented on her years of service.

ADJOURN TO BOARD OF EQUALIZATION: Motion by Hornady, second by Cornelius, carried unanimously to adjourn to the Board of Equalization.

#2005-BE-1 – Consideration of Determining Benefits for Street Improvement District No. 1250, Edna Drive, North Road to Mabel Drive. Steve Riehle, Public Works Director reported that Street Improvement District No. 1250 was completed on November 1, 2004 and this action was for determining the benefits for this district. Motion by Hornady, second by Walker, to approve Resolution #2005-BE-1, carried unanimously.

#2005-BE-2 – Consideration of Determining Benefits for Street Improvement District No. 1252, Lillie Drive from North Road to Mabel Drive, and Mabel Drive from Lillie Drive to Edna Drive. Steve Riehle, Public Works Director reported that Street Improvement District No. 1252 was completed and this action was for determining the benefits for this district. Motion by Hornady, second by Walker, to approve Resolution #2005-BE-2, carried unanimously.

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

PUBLIC HEARINGS:

Public Hearing on Acquisition of Property Located at 1613 West Division Street. (Old Wasmer School Property) Steve Riehle, Public Works Director reported that the City was interested in the property located at 1613 West Division Street (former Wasmer School) for a detention cell for storm water runoff from the area of 2nd Street between Grant Street and Greenwich Street. A bid of \$180,100.00 submitted by the City was accepted by the Grand Island Public School. No public testimony was heard.

Public Hearing on Designation of Northeast Area as Blight & Substandard Area #5. Cindy Johnson, President of the Chamber of Commerce reported that the Community Redevelopment Authority had requested that an area located in the northeast area of Grand Island be considered as blight and substandard. A Blight/Substandard Study had been completed by Hanna:Keelan with approval from the Regional Planning Commission and the Community Redevelopment Authority. Leilani McPeak of Marquette, Nebraska questioned if any projects had already been earmarked, how the designation would impact existing properties, and could anyone apply for these benefits. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3510 South Blaine Street. (Michael T. Jakubowski) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 3510 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 install primary cable and a single phase pad-mounted transformer to serve electricity to a new home on the property. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1708 North Diers Avenue. (James Martinez) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 1708 North Diers Avenue 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 underground electrical cables and pad-mounted transformer to serve the new car wash at this location. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3030 Old Highway 30. (L & P Investments, L.L.C.) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 3030 Old Highway 30 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 increase an existing utility easement to allow placement of high voltage cable and a new pad-mounted transformer to serve a new building. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 4160 Gold Core Drive. (SEC Accommodator XXIX, L.L.C.) Gary Mader, Utilities Director reported that acquisition of a

utility easement located at 4160 Gold Core 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 cable and two pad-mounted transformers to serve the new Standard Iron building. No public testimony was heard.

Public Hearing on Request of Yield LLC dba Upper Deck Sports Bar & Grill, 2110 West 2nd Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that Yield LLC dba Upper Deck Sports Bar & Grill, 2110 West 2nd Street had submitted an application with the City' 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 on December 17, 2004; notice to the applicant of date, time, and place of hearing mailed on December 17, 2004; notice to the general public of date, time, and place of hearing published on January 1, 2005; and Chapter 4 of the City Code. Jason Schultz, 1524 Coventry Lane spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Property Located at 1212 West 2nd Street, 1209 West 3rd Street, and 1215 West 3rd Street. 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 property located at 1212 West 2nd Street was currently being leased by Domino's Pizza and the properties at 1209 and 1215 West 3rd Street were residential properties in the middle of the block on the north side. 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:

#8948 - Consideration of Assessments for Street Improvement District No. 1250, Edna Drive; North Road to Mabel Drive

#8949 – Consideration of Assessments for Street Improvement District No. 1252, Lillie Drive from North Road to Mabel Drive, and Mabel Drive from Lillie Drive to Edna Drive

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.

Steve Riehle, Public Works Director reported that these ordinances were the assessments for the action taken earlier during the Board of Equalization.

Motion was made by Hornady, second by Walker to approve Ordinances #8948 and #8949.

City Clerk: Ordinances #8948 and #8949 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 #8948 and #8949 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 #8948 and #8949 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Items G-4, G-5, G-10, and G-11 were pulled from the Consent Agenda for further discussion. Motion by Gilbert, second by Cornelius to approve the Consent Agenda excluding Items G-4, G-5, G-10, and G-11. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of December 21, 2004 City Council Regular Meeting.

Approving Minutes of January 4, 2005 City Council Study Session.

Approving the Appointment of John Mayer to the Firefighters Pension Committee.

Approving Request of James Scott, 403 Roush Lane for Liquor Manager Designation for Pizza Hut, 1608 South Locust Street.

#2004-320 – Approving Acquisition of Property Located at 1613 West Division Street (Old Wasmer School Property). Councilmember Pielstick voted no.

#2005-1 – Approving Change Order No. 1 to the Contract for Street Improvement District No. 1253 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$6,403.68 and a Revised Contract Amount of \$105,668.94.

#2005-2 – Approving Certificate of Final Completion for Street Improvement District No. 1253 with The Diamond Engineering Company of Grand Island, Nebraska.

#2005-5 – Approving Acquisition of Utility Easement Located at 3510 South Blaine Street. (Michael Jakubowski)

#2005-6 – Approving Acquisition of Utility Easement Located at 1708 North Diers Avenue. (James Martinez)

#2005-7 – Approving Drainage Agreement for High Voltage Junction Box Located at 1708 North Diers Avenue. (James Martinez)

#2005-8 – Approving Acquisition of Utility Easement Located at 3030 Old Highway 30. (L & P Investments, L.L.C.)

#2005-9 – Approving Acquisition of Utility Easement Located at 4160 Gold Core Drive. (SEC Accommodator XXIX, L.L.C.)

#2005-10 – Approving Proposal for Fountain Soft Drink Services for Grand Island Aquatic Facilities with The Pepsi Bottling Group of Grand Island, Nebraska for 3 years.

#2005-11 – Approving Certificate of Final Completion for Aquatic Study with C. T. Brannon Corporation of Tyler, Texas.

#2005-12 – Approving Certificate of Final Completion for Engineering Design for Stolley Park Arboretum with Clark-Enersen Partners of Lincoln, Nebraska.

#2005-13 – Approving State Bid Award for 2005 Chevrolet 4 Wheel drive Pickup for the Cemetery Division with Husker Auto Group of Lincoln, Nebraska in an Amount of \$19,385.70.

#2005-14 – Approving Bid Award for Concrete Ready Mix for the Riverway Hike/Bike Trail with Gerhold Concrete Company of Grand Island, Nebraska in an Amount of \$52.25 per cubic yard.

#2005-15 – Approving Interlocal Agreement with Central Platte Natural Resources District, Hall County, and Merrick County for the Upper Prairie/Silver/Moores Creek Flood Control Project.

#2005-16 – Approving Acquisition of Property Located at 1212 West 2nd Street, 1209 West 3rd Street, and 1215 West 3rd Street.

#2005-17 – Approving Change Order No. 2 to the Contract for the 2003 Waste Water Treatment Plant-1, Solids Handling Improvements Project with John T. Jones Construction of Fargo, North Dakota for an Increase of \$25,127.00 and a Revised Contract Amount of \$8,565,756.00.

#2005-18 – Approving Donation of a Privacy Fence to the Central Nebraska Humane Society.

#2005-19 – Approving Bid Award for (6) Six Thermal Imaging Cameras with Heiman Fire Equipment of Ashton, Iowa in an Amount of \$9,093.32.

Approving Request of Yield LLC dba Upper Deck Sports Bar & Grill, 2110 West 2nd Street for a Class “C” Liquor License. Motion by Hornady, second by Whitesides to approve the request contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

Approving Request of Jason Schultz, 1524 Coventry #91 for Liquor Manager Designation for Upper deck Sports Bar & Grill, 2110 West 2nd Street. Motion by Hornady, second by Whitesides to approve the request contingent upon the Upper Deck Sports Bar & Grill receiving their Liquor License. Upon roll call vote, all voted aye. Motion adopted.

#2005-3 – Approving Designation of a 20 Minute Express Parking Stall in Front of 414 West 3rd Street. Jim Reiter, 414 West 3rd Street spoke in support. Motion by Pieltsick, second by Pauly to approve Resolution #2005-3. Upon roll call vote, all voted aye. Motion adopted.

#2005-4 – Approving Designation of Northeast Area as Blight & Substandard Area #5. Cindy Johnson, CRA Director answered the questions Leilani McPeak asked during the Public Hearing. Ms. Johnson stated that this project was prompted by the developers and there were no applications yet. The impact to the property in the area would be possible paving, expansion, infrastructure, streets, curbs & gutters, demolition of substandard property, and rehabilitation of property. Each application would be considered individually. Discussion was held concerning guidelines of the redevelopment projects.

Motion by Pielstick, second by Cornelius to approve Resolution #2005-4. Upon roll call vote, all voted aye. Motion carried.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of December 22, 2004 through January 11, 2005, for a total amount of \$3,788,545.33. Motion adopted unanimously. Councilmember Pielstick abstained from voting on Claim #88711.

ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

RaNae Edwards
City Clerk