



City of Grand Island

Tuesday, April 12, 2005

Council Session

Item G1

Approving Minutes of March 22, 2005 City Council Regular Meeting

*The Minutes of March 22, 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

March 22, 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 March 22, 2005. Notice of the meeting was given in the *Grand Island Independent* on March 16, 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.

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Pastor Gary Schulte, Evangelical Free Church, 2609 South Blaine Street.

MAYOR COMMUNICATION: Mayor Vavricek listed the City Council Goals for 2005-2006 as discussed at the Council Retreat. Mentioned was the Cities Conference that was held in Washington, D.C. which was attended by Mayor Jay Vavricek, City Administrator Gary Greer, and Councilmember Carole Cornelius. Also mentioned was the fact that Grand Island had sent more care packages to the soldiers in Iraq than any other community as reported by Paul Harvey.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Robert Holmes, Computer Programmer, Finance Department for 35 Years of Service with the City. Mayor Vavricek and the City Council recognized Robert Holmes, Computer Programmer, Finance Department for 35 years of service with the City. Finance Director David Springer commented on Mr. Holmes service. Mr. Holmes was present for the recognition.

Proclamation "Child Abuse Prevention Month" April 2005. Mayor Vavricek proclaimed the month of April, 2005 as "Child Abuse Prevention Month". June Oliphant and Kelli Czarnick – Co-Chairwomen of the Child Abuse Prevention Month and Blue Ribbon Campaign were present to receive the proclamation.

Proclamation "Community Development Week" March 28 – April 3, 2005. Mayor Vavricek proclaimed the week of March 28 – April 3, 2005 as "Community Development Week". Community Development Specialist Joni Kuzma was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located at 3604 South Blaine Street. (H & J Investments) 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.

ORDINANCES:

Councilmember Hornady moved to approve Ordinance #8953 on Final Reading. Second by Cornelius. Upon roll call vote, all voted aye. Motion adopted.

#8953 – Consideration of Annexation of Land Proposed for Platting as Preisendorf Subdivision Located North of Oklahoma Avenue and East of Washington Street (Final Reading)

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

#8963 - Consideration of Creation of Water Main District No. 449T – North Road and Faidley Avenue

#8968 – Consideration of Creation of Sanitary Sewer No. 517, Deadwood Subdivision near Johnstown Road and Arch Avenue

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.

A brief explanation was given on each Ordinance by Utilities Director Gary Mader and Public Works Director Steve Riehle.

Motion by Pielstick, second by Meyer to approve Ordinances #8963 and #8968.

City Clerk: Ordinances #8963 and #8968 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 #8963 and #8968 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.

President Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8963 and #8968 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Items G-4, G-14, and G-17 were pulled for further discussion. Motion by Hornady, second by Gilbert to approve the Consent Agenda excluding Items G-4, G-14, and G-17. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of March 5, 2005 City Council Special Study Session (Retreat).

Approving Minutes of March 8, 2005 City Council Regular Meeting.

#2005-76 – Approving Final Plat and Subdivision Agreement for Preisendorf Subdivision. It was noted that Priesendorf Plumbing and Hearing, Inc. owner had submitted the final plat for Preisendorf Subdivision, located on land comprising of the NW1/4 NE1/4 of Section 21-11-9 for the purpose of subdividing it into 2 lots.

#2005-78 – Approving Acquisition of Utility Easement Located at 3604 South Blaine Street, South of Highway 34. (H & J Investments)

#2005-79 – Approving Interlocal Cooperative Agreement for High Resolution Orthophotos Project with Nebraska Department of Health and Human Services, Central Platte Natural Resources District, Kearney, Hastings, Scottsbluff, Norfolk, Lancaster County, and Scottsbluff County.

#2005-80 – Approving Agreement to Furnish Ultraviolet Disinfection Equipment with Trojan Technologies, Inc. in an Amount of \$634,110.00.

#2005-81 – Approving Bid Award for One Tandem Articulating Vibratory Roller for the Street & Transportation Division with NSC Equipment of Grand Island, Nebraska in an Amount of \$25,806.00.

#2005-82 – Approving Bid Award for Street Improvement Project 2005-P-1; Concrete Paving on Clause Road for Approximately ¼ Mile North of Old Highway 30 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$139,623.85.

#2005-83 – Approving Agreement for On-Call Engineering Consulting Services for Waste Water Division with CH2M Hill or Denver, Colorado.

#2005-84 – Approving Correction to Resolution #2005-62 Regarding Street Improvement District No. 1255; Independence Avenue, Shanna Street & Lariat Lane. It was noted that the bid amount of \$416,354.66 awarded to A & R Construction Co. of Plainview, Nebraska was corrected.

#2005-85 – Approving Removal of the Handicap Parking Stall in Front of 522 West 1st Street, Northeast Corner of 1st Street and Elm Street.

#2005-86 – Approving Change Order No. 5 to the Grand Generation Center Renovation and Expansion Project with Starostka Group, Inc. of Grand Island, Nebraska for an Increase of \$2,631.50 and an Adjusted Contract Amount of \$609,088.75.

#2005-88 – Approving Authorization for Mayor to Execute Development Agreement and Loan Documents with Standard Iron, Inc. and the Demeules Family Limited Partnership.

#2005-89 – Approving Supplemental Agreement for Overhead Power Line Encroachment and Crossing Agreement with Union Pacific Railroad Company in an Amount of \$1,500.00.

#2005-91 – Approving Agreement with Grand Island Softball Association.

#2005-92 – Approving Change Order No. 1 to the Contract for Heartland Public Shooting Park with Hooker Brothers Construction of Grand Island, Nebraska for a Decrease of \$110,500.00 and a Revised Contract Amount of \$573,650.00.

#2005-93 – Approving Contract for Design and Engineering Services for Island Oasis Expansion with Olsson Associates of Grand Island, Nebraska in an Amount not to exceed \$42,700.00.

#2005-77 – Approving Contract for Property Room. Com with Property Bureau, Inc. Councilmember Pielstick questioned the advertisement of the auctions. Police Chief Kyle Hetrick reported that the auctions were published in the *Grand Island Independent* only, due to cost and that there had been good turnouts at the auctions.

Motion by Pielstick, second by Whitesides to send this issue to a Study Session. Chief Hetrick commented on storage issues, the benefits of selling over the internet, and the 1 year agreement. Upon roll call vote, Councilmember's Pielstick and Whitesides voted aye. Councilmember's Meyer, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted no. Motion failed.

Motion by Gilbert, second by Nickerson to approve Resolution #2005-77. Upon roll call vote, Councilmember's Meyer, Gilbert, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember's Pielstick and Whitesides voted no. Motion adopted.

#2005-87 – Approving Contract for Carpet Replacement for Suite 3 with Color Tile & Carpet of Grand Island, Nebraska in an Amount of \$24,459.68. Councilmember Pielstick questioned the 4 week installation of Johnson Cash-Way and their bid being lower than the other two bids received. Craig Lewis, Building Department Director explained the importance of a 1 week installation submitted by Color Tile & Carpet.

Motion by Nickerson, second by Hornady to approve Resolution #2005-87. Upon roll call vote, Councilmember's Meyer, Whitesides, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember's Pielstick and Gilbert voted no. Motion adopted.

#2005-90 – Approving Agreement with Northwest Baseball/Softball Association in an Amount of \$2,875.00. Councilmember Pielstick commented on problems at the little league games where the ball field lights were turned off before the players could leave. Parks & Recreation Director Steve Paustian stated these concerns should be brought forward to the Association and then to the Parks & Recreation Department if there were no results.

Motion by Hornady, Second by Cornelius to approve Resolution #2005-90. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2005-94 – Approving Acceptance of Site and Need Study and City Administration Recommendation for Fire Station #1. Fire Chief Jim Rowell reported that over the last few months the City had moved forward with plans to replace Fire Station #1. A committee was formed to manage the process and guide public discussion. This resulted in a Site and Needs Study being presented by RDG Schutte Wilscam Birge, Inc., BKV Group, and Emergency Services Consulting, Inc at the March 1, 2005 Study Session.

City recommendation at that meeting was to build one fire station without headquarters at the Fonner Park location, pay cash for the facility, and to continue to study the need for a fire station in the northeast portion of the City.

Gwen Reed, 2227 West 7th Street spoke in opposition. Gloria Otradovsky, 822 E. Delaware spoke in support of a new Fire Station just not at the Dodge Parking lot.

Motion by Meyer, second by Pielstick to approve Resolution #2005-94 using strategy F as recommended by the consulting firm with the following conditions:

1. Fire Station 1 to be built at the Fonner Park Site.
2. Two years after completion of Fire Station 1 the City build a second Fire Station sharing the Lions Club Park thus completing strategy F.

Discussion was held with regards to using current Fire Station #1 as an ambulance only station until the second station was built. Also discussed were response times.

Motion by Hornady, second by Gilbert to amend the motion to delete the Lions Club Park location reference. Upon roll call vote, Councilmember's Gilbert, Nickerson, Cornelius, Pauly, and Hornady voted aye. Councilmember's Meyer, Whitesides, Pielstick, Walker, and Haase voted no. The Mayor chose not to cast an affirmative vote. Motion failed.

Motion by Whitesides to utilize Fire Station #1 for ambulance only services. Motion died due to lack of a second.

A lengthy discussion was held with regards to response times, location of Fire Station #1, and ambulance services at the current Fire Station #1 and Fire Station #2.

Upon roll call vote of the original motion, Councilmember's Meyer, Whitesides, Pielstick, and Haase voted yes. Councilmember's Gilbert, Nickerson, Cornelius, Pauly, Hornady, and Walker voted no. Motion failed.

Motion by Walker, second by Cornelius to approve Resolution #2005-94 as originally presented. Upon roll call vote, Councilmember's Gilbert, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember's Meyer, Whitesides, Pielstick, and Nickerson voted no. Motion adopted.

Mayor Vavricek moved, second by Hornady to take a 10 minute recess at 8:35 p.m. Motion adopted.

Council reconvened at 8:45 p.m.

#2005-95 – Approving Acceptance of Site and Need Study and City Administration Recommendation for Fire Training Center Facility. Fire Chief Jim Rowell introduced Troy Huges, Training Division Chief who reported that at the March 1, 2005 Study Session City Administration recommendation was to pursue the property east of Central Community College for the Fire Training Facility. Mr. Hughes gave a PowerPoint presentation concerning the site located at Highway 34 and Garland Street, east of Central Community College owned by Diamond Engineering Company.

The following individuals spoke in opposition to the Fire Training site being located east of Central Community College:

- Steve Wassinger, 3104 South Blaine Street
- Barb Faimon, 3805 Stagecoach Circle
- Dennis Carroll, 3019 Brentwood Blvd.
- Joe Black, 805 West 1st Street
- Bill Marsh, 2325 Stagecoach Road
- Judy Boerger, 2405 Lakewood Drive
- Ted Rookstool, 3002 South Blaine Street
- Mike Reilly, 3007 Brentwood Place
- Connie Beckman, 2816 South Blaine Street
- Ron von Behren, 2915 Circle Drive
- Kevin Houtwed, 3120 South Blaine Street
- Cliff Stevenson, 3121 South Garland
- William Feely, 2524 Stagecoach Road
- Penny Skalka, 2805 South Blaine Street
- Dan Cimino, 2905 South Blaine Street

Motion by Nickerson, second by Cornelius to postpone this issue to a study session to be held no more than 2 months from now.

City Administrator Gary Greer recommended that council make a decision at this meeting so the Fire Department and city staff could move forward with a business plan.

Motion by Hornady, second by Whitesides for the previous question. Upon roll call vote, all voted aye.

Upon roll call vote to postpone this issue to a Study Session, Councilmember's Pielstick, Gilbert, Nickerson, and Haase voted aye. Councilmember's Meyer, Whitesides, Cornelius, Pauly, Hornady, and Walker voted no. Motion failed.

Motion by Gilbert, second by Cornelius to deny Resolution #2005-95. Upon roll call vote, Councilmember's Gilbert and Cornelius voted aye. Councilmember's Meyer, Whitesides, Pielstick, Nickerson, Pauly, Hornady, Walker, and Haase voted no. Motion failed.

A lengthy discussion was held with regards to the sites within the study.

Motion by Hornady, second by Whitesides that city staff study all sites recommended by the consultant with regards to the impact on neighborhoods at each site. This motion was withdrawn.

Motion by Gilbert, second by Pielstick that training site #3 of the Site and Needs Study located on Highway 30, adjacent to the proposed Public Safety Center be considered a priority for staff to look at.

Upon roll call vote, Councilmember's Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, and Haase voted aye. Councilmember's Meyer and Walker voted no.

#2005-96 – Approving Date for Personnel Hearing. City Attorney Doug Walker reported that written charges of misconduct against Emergency Management Director Howard Maxon had been signed and filed with the City Clerk as required by Grand Island City Code Section 2-22. Mr. Maxon requested a hearing as provided for by City Code. Provisions of City Code required that a hearing be established by resolution and that the hearing take place not less than five days nor more than ten days after the passage of the resolution. Resolution #2005-96 would establish the date of the hearing for March 29, 2005 at 9:00 a.m.

Motion by Hornady, second by Pielstick to approve Resolution #2005-96. 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 March 9, 2005 through March 22, 2005, for a total amount of \$3,633,338.46. Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 10:10 p.m.

RaNae Edwards
City Clerk