



City of Grand Island

Tuesday, May 24, 2005

Council Session

Item G1

Approving Minutes of May 10, 2005 City Council Regular Meeting

The Minutes of May 10, 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

May 10, 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 May 10, 2005. Notice of the meeting was given in the *Grand Island Independent* on May 4, 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, Walker, and Haase. Councilmember Hornady was absent. 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 Councilmember Jackie Pielstick followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek commented on the severe weather alert and the St. Francis 9-Tower Addition.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Salvation Army Week" May 9-15, 2005. Mayor Vavricek proclaimed the week of May 9-15, 2005 as "Salvation Army Week". Roger Nygaard, Captain Debra Richardson, Rod and Amy Mohler of the Salvation Army were present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request of Nebraska Steak Company, Inc. dba Whiskey Creek, 1016 Diers Avenue for a Catering Liquor License. City Clerk RaNae Edwards reported that Nebraska Steak Company, Inc. dba Whiskey Creek, 1016 Diers Avenue had submitted an application with the City Clerk's Office for a Catering Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 18, 2005; notice to the applicant of date, time, and place of hearing mailed on April 18, 2005; notice to the general public of date, time, and place of hearing published on May 4, 2005; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2250 N. Diers Avenue. (Capital Park Development Co.) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 2250 N. Diers Avenue was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to correct the discrepancy discovered and correct the paperwork at the

least cost for both the Utilities Department and the business owner. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2620 N. Diers Avenue. (Yogi Motel, Inc.) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 2620 N. Diers Avenue was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to correct the discrepancy discovered and correct the paperwork at the least cost for both the Utilities Department and the business owner. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located North of Capital Avenue and East of the Ord Branch Union Pacific Railroad. (Bradley and Amy Petersen) Gary Mader, Utilities Director reported that acquisition of a utility easement located north of Capital Avenue and east of the Ord Branch Union Pacific Railroad was required in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to place primary electrical underground cable and a single phase transformer to provide electric service to a new home. No public testimony was heard.

Public Hearing Concerning the Bi-Annual Report by the Citizens' Review Committee on the Economic Development Program Plan. Doug Walker, City Attorney reported that the Citizens Advisory Review Committee is required by State Statute to make a semi-annual report to the City Council. Mr. Walker introduced Marlan Ferguson, Executive Director of Economic Development Corporation and Lisa Willman, member of the Citizens' Review Committee who gave the Economic Development Program Plan Report. No public testimony was heard.

Due to a tornado warning the Council recessed at 7:30 p.m. and reconvened at 9:02 p.m.

Public Hearing on Amendment for the Community Development Block Grant Funds. Joni Kuzma, Community Development Administrator reported that the number of applications received for home located in the CDBG project area had been insufficient to meet the contracted number of homes needed to meet the grant termination deadline. Proposed was to amend the Block Grant application to expand the CDBG project area in the northeast part of Grand Island and to encompass the entire City. 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 ordinance numbered:

#8974 - Consideration of Creation of Sanitary Sewer District No. 518; Westwood Subdivision & Westwood Second Subdivision (Driftwood, Maywood, Sweetwood, Greenwood, & Norwood Drives and Driftwood & Redwood Courts)

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

Steve Riehle, Public Works Director reported that a petition was submitted by residents in the area requesting the creation of a sanitary sewer district and it passed the protest period. Discussion was had on the cost of the district.

Motion by Whitesides, second by Haase to approve Ordinance #8974.

City Clerk: Ordinance #8974 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #8974 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #8974 is declared to be lawfully adopted upon publication as required by law.

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

Receipt of Official Documents – Pawnbroker’s Official Bonds for Wayne’s Pawn Shop, G. I. Loan Shop, and Stewart’s Loan and Pawnshop. Councilmember Meyer abstained.

Receipt of the Economic Development Program Plan Report.

Approving Minutes of April 26, 2005 City Council Regular Meeting.

Approving Minutes of May 3, 2005 City Council Study Session.

Approving Re-Appointments of Buzz Douthit, Mike Toukan, Scott Zana, and Bill Martin to the Business Improvement District #4 Board.

Approving Request of Nebraska Steak Company, Inc. dba Whiskey Creek, 1016 Diers Avenue for a Catering License.

Approving Request of Alan Niesen, 727 Madden Road, Hastings, Nebraska for Liquor Manager Designation for K-Mart, 3535 West 13th Street.

#2005-136 – Approving Acquisition of Utility Easement Located at 2550 N. Diers Avenue. (Capital Park Development Co.)

#2005-137 – Approving Acquisition of Utility Easement Located at 2620 N. Diers Avenue. (Yogi Motel, Inc.)

#2005-138 – Approving Acquisition of Utility Easement Located North of Capital Avenue and East of the Ord Branch Union Pacific Railroad. (Bradley and Amy Petersen)

#2005-139 – Approving Bid Award for Water Main District No. 449T – North Road and Faidley Avenue with Starostka Group Unlimited, Inc. of Grand Island, Nebraska in an Amount of \$317,802.96.

#2005-140 – Approving Agreement with the Grand island Softball Association.

#2005-141 – Approving Renewal of Lease at Cornhusker Army Ammunition Plant for Storage Building with the Nebraska State Patrol for an Annual Fee of \$500.00 and an Upgrade of 3-Phase Electrical Service Line in an Amount of \$2,465.00.

#2005-142 – Approving Continuation of Sanitary Sewer District No. 517, Deadwood Subdivision. (Arch Avenue & Johnstown Road Area)

#2005-143 – Approving Amendment for Community Development Block Grant Funds.

#2005-144 – Approving Exchange Bank to the Approved Financial Institutions List for Public Funds.

#2005-145 – Approving Renewal of Farm Leases with Larry Knuth, Mike Lilienthal, Ken Clausen, Jack Webb, Mike Peters, Gerald Bremer, Quaring Farms, Robert Nunnenkamp, and Matt Tureck.

#2005-146 – Approving Bid Award for Final Clarifier Improvements for the Wastewater Treatment Plant (Electrical) with Middleton Electric, Inc. of Grand Island, Nebraska in an Amount of \$38,387.00.

#2005-147 – Approving Bid Award for Final Clarifier Improvements for the Wastewater Treatment Plant (Painting) with HEG Painting Company, Inc. of Cherokee, Iowa in an Amount of \$136,310.00.

#2005-148 – Approving Bid Award for Final Clarifier Improvements for the Wastewater Treatment Plant (Installation) with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$181,832.00. Councilmember Pielstick commented on the difference between the bids received stating we would see a lot of change orders. Pielstick voted no.

REQUESTS AND REFERRALS:

Consideration of Request from Ray and Dianne Stahla to Amend Mobile Home Part Permit. Craig Lewis, Building Department Director reported that a request had been received to amend the mobile home park permit for Stahla Mobile Home Park to allow 2 recreational vehicle lots on Lot #59. It was stated that this would not be for a permanent recreational vehicle space.

Motion by Pielstick, second by Whitesides to approve the request of Ray and Dianne Stahla. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Referral to the Regional Planning Commission the Request from Jeremy and Tina Trotter for Property Located in the S1/2 SW1/4 of Section 3-11-9 and other Properties as Suggested by City Administration for Annexation in the City of Grand Island. Chad Nabity, Regional Planning Director reported that a request had been received to consider annexation of property located at 1024 Capital Avenue. City Administration suggested additional annexation areas. Nebraska Statutes provides for the process of annexation to be referred to the Regional Planning Commission by the Mayor and City Council.

Motion by Whitesides, second by Cornelius to refer this issue to the Regional Planning Commission. Upon roll call vote, all voted aye.

RESOLUTIONS:

#2005-149 – Approving Notification to Property Owners to Install Sidewalk; Various Locations within Grand Island. Steve Riehle, Public Works Director reported that Council action was required to send notification to property owners to install sidewalk as presented in the Five-Year Sidewalk Plan presented to Council at the November 16, 2004 Study Session. The sidewalk plan was reviewed by Council.

Motion by Pielstick, second by Haase to approve Resolution #2005-149.

Discussion was had concerning areas that were not included in the plan.

Motion by Cornelius, second by Whitesides to amend the motion to add sidewalks on the south side of Manchester Road from Independence Avenue to Mansfield Road and the west side of Mansfield Road from Cannon Road to Manchester Road. Upon roll call vote, all voted aye. Motion adopted.

Gary Greer, City Administrator suggested that a traffic study be done around Westridge Middle School.

Upon roll call vote of the original motion with amendment, all voted aye. Motion adopted.

#2005-150 – Approving Authorization to Perform Emergency Repair on Sanitary Sewer Main located in the Alley between 5th Street and 6th Street from Kimball to Oak Street. Steve Riehle, Public Works Director reported that on April 25, 2005 a sewer line broke in the alley between 5th Street and 6th Street from Kimball to Oak Street and emergency repairs were needed. Mr. Riehle requested using the City's emergency procurement procedures to issue a purchase order for the work.

Motion by Gilbert, second by Haase to approve Resolution #2005-150. 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 April 27, 2005 through May 10, 2005, for a total amount of \$2,964,131.32. Motion adopted unanimously. Councilmember Pielstick abstained from Claims #97923 and #98046.

ADJOURNMENT: The meeting was adjourned at 9:25 p.m.

RaNae Edwards
City Clerk