



# City of Grand Island

Tuesday, June 14, 2005

Council Session

## Item G1

### Approving Minutes of May 24, 2005 City Council Regular Meeting

*The Minutes of May 24, 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 24, 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 24, 2005. Notice of the meeting was given in the *Grand Island Independent* on May 18, 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, Hornady, Walker, and Haase. Councilmember Pauly 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 Pastor George Oxford, First Church of the Nazarene, 1022 West 6<sup>th</sup> Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek commented on us being under a severe thunderstorm watch. Also mentioned was the Community Youth Council having a movie night on Friday, May 27, 2005 at 8:30 p.m. at the Stolley Park Pavilion.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation 'Older American Month' May 2005. Mayor Vavricek proclaimed the month of May 2005 as "Older American Month". Lois Stienke, Executive Director of the Senior Citizens Center was present to receive the proclamation.

Recognition of Louis Kaelin and Coach Jack Ross for Outstanding Performance at the Cornhusker Trapshoot. Mayor Vavricek and the City Council recognized Louis Kaelin for receiving 1<sup>st</sup> Place in the Junior Division Competition of the Cornhusker Trapshoot held in Doniphan, Nebraska. Also recognized was his coach, Jack Ross. Louis Kaelin and Jack Ross were present for the recognition.

Recognition of Lori Farrell, Pat Johnson, and Nikki Leu for Efforts of Sending Care Packages to Soldiers in Iraq. Mayor Vavricek and the City Council recognized Lori Farrell, Pat Johnson, and Nikki Leu, deli workers from Five Points Skagway for their efforts of sending care packages to soldiers in Iraq. Lori Farrell, Pat Johnson, and Nikki Leu were present for the recognition.

PUBLIC HEARINGS:

Public Hearing on Request of Orozco's Corporation dba El Diamante Night Club, 1600 South Eddy Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that Orozco's

Corporation dba El Diamante Night Club, 1600 South Eddy Street had submitted an application with the City Clerk's Office for a Class "C" 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 29, 2005; notice to the applicant of date, time, and place of hearing mailed on May 2, 2005; notice to the general public of date, time, and place of hearing published on May 14, 2005; and Chapter 4 of the City Code. A recommendation to deny the license was suggested. Fred Hotz, Fire Prevention Division Chief explained that Mr. Orozco had not contacted the departments for inspections and that there was no fire sprinkler system which was required for this size of an establishment. Rafael Orozco, 3105 Nashville spoke in favor. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located on the North Side of the Platte River, Northeast of Highway 281. (Willaim and Carolyn Kuehner) Gary Mader, Utilities Director reported that acquisition of a utility easement located on the north side of the Platte River, northeast of Highway 281 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 upgrade the single phase line to a three phase line and to complete the legal documents for the line to remain in place. The three phase line will serve a new irrigation well on Kuehner Farm property. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located on the Southwest Corner of 2<sup>nd</sup> and Greenwich Streets. (JBWS Property Group, LLC) Gary Mader, Utilities Director reported that acquisition of a utility easement located on the southwest corner of 2<sup>nd</sup> and Greenwich Streets 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 add underground cable and a pad-mounted transformer to provide electricity to the new business. No public testimony was heard.

Public Hearing on Acquisition of Property Located at 1221 West 3<sup>rd</sup> Street. (Grand Island Library Foundation, Inc. Previously Owned by Richard L. and Joyce L. Killham) Doug Walker, City Attorney reported that acquisition of property located at 1221 West 3<sup>rd</sup> Street was required for the Library expansion project. No public testimony was heard.

Public Hearing Concerning Amendment to the Grand Island Zoning Map for Property South of Seedling Mile Road between Wainwright Street and West of Shady Bend Road from TA-Transitional Agriculture to LLR-Large Lot Residential and Property being Platted as Northview Subdivision, West of North Road and South of Highway 2 Chad Naby, Regional Planning Director reported that the change would correct an error in the southeast portion of Grand Island zoning map to LLR-Large Lot Residential. The zoning change to the property being platted as Northview Subdivision would shift the zoning boundaries so that they were consistent with the lot lines. No public testimony was heard.

Public Hearing on Amendments to Chapter 36 of the Grand Island City Code Relative to zoning within the 2 Mile Extra-Territorial Jurisdiction. Chad Naby, Regional Planning Director reported that the changes proposed were intended to correct omissions and typographical errors in the new zoning regulations adopted in July 2004. 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:

#8975 - Consideration of Amendment to the Grand Island Zoning Map for Property South of Seedling Mile Road between Wainwright Street and West of Shady Bend Road from TA-Transitional Agriculture to LLR-Large Lot Residential and Property being Platted as Northview Subdivision, West of North Road and South of Highway 2

#8976 – Consideration of Amendments to Chapter 36 of the Grand Island City Code Relative to Zoning within the 2 Mile Extra-Territorial Jurisdiction

#8977 – Consideration of Amendments to Chapter 19 of the Grand Island City Code Relative to Library Board Authority

#8978 – Consideration of Amendments to Chapter 31 of the Grand Island City Code Relative to Signs

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.

Doug Walker, City Attorney explained Ordinance #8977 changes and Craig Lewis, Building Department Director explained the changes to Ordinance #8978.

Motion by Pielstick, second by Hornady to approve Ordinances #8975, #8976, #8977, and #8978.

City Clerk: Ordinances #8975, #8976, #8977, and #8978 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. Councilmember Walker voted no on Ordinance #8977. Motion adopted.

City Clerk: Ordinances #8975, #8976, #8977, and #8978 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. Councilmember Walker voted no on Ordinance #8977. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8975, #8976, #8977, and #8978 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-4 and G-5 were pulled for further discussion. Motion by Hornady, second by Walker to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 10, 2005 City Council Regular Meeting.

Approving Minutes of May 17, 2005 City Council Study Session.

Approving Re-Appointments of Bobby Ranard and Lisa Crumrine to the Community Development Advisory Board.

#2005-151 – Approving Acquisition of Utility Easement Located on the North Side of the Platte River, Northeast of Highway 281. (William and Carolyn Kuehner)

#2005-152 – Approving Acquisition of Utility Easement Located on the Southwest Corner of 2<sup>nd</sup> and Greenwich Streets. (JBWS Property Group, LLC)

#2005-153 – Approving Bid Award for the UV Disinfection System for the Wastewater Treatment Plant; Project 2004-WWTP-1 with Starostka Group Co. of Grand Island in an amount of \$1,879,400.00.

#2005-154 – Approving Acquisition of Property Located at 1221 West 3<sup>rd</sup> Street. (Grand Island Library Foundation, Inc. Previously Owned by Richard L. and Joyce L. Killham).

#2005-155 – Approving Cooperative Project Agreement with State of Nebraska, Game and Parks Commission for Development and Maintenance of a 50 Yard Pistol and 100 Yard Rifle Range at CAAP.

#2005-156 – Approving Community Enhancement Program Agreement for Senior Center Landscape Grant with the University of Nebraska – Nebraska Forest Service.

#2005-157 – Approving Bid Award for Steel Distribution Poles with WESCO Distribution, Inc. of Sioux City, Iowa in an Amount of \$57,985.44.

#2005-158 – Approving Bid Award for Replacement Pump for Stolley Park Well with Layne-Western of Kearney, Nebraska in an Amount of \$24,575.57.

#2005-159 – Approving Bid Requirement Waiver to Purchase Key Secure System with Knox Box for Installation on Eight Fire Emergency Vehicles in an Amount of \$4,429.00.

Approving Request of Orozco's Corporation dba El Diamante Night Club, 1600 South Eddy Street for a Class "C" Liquor License. Discussion was had concerning the complaints received at this location, the fire sprinkler system needed, and the proper occupancy permits.

Motion by Whitesides, second by Pielstick to deny the request for a Class "C" Liquor License. Upon roll call vote, all voted aye. Motion adopted.

Approving Request of Rafael Orozco, 2105 North Nashville for Liquor Manager Designation for El Diamante Night Club, 1600 South Eddy Street.

Motion by Whitesides, second by Pielstick to deny the request of Rafael Orozco for a Liquor Manager Designation. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2005-160 – Approving Authorization to Proceed with Emergency Repairs to Public Infrastructure Caused by the May 11<sup>th</sup> and May 12<sup>th</sup> Flooding. Steve Riehle, Public Works Director reported that they were requesting emergency procurement procedures to acquire services of a contractor to perform the necessary emergency repairs due to the flooding of May 11<sup>th</sup> & 12<sup>th</sup> at the following areas:

- North Road between Northwest High school and NE Highway 2; need to replace culvert, backfill, and asphalt road
- Cofferdam weir structure on the Capital Avenue outfall ditch which was located on the north side of Capital Avenue; need to repair or replace
- Wood River and Wood River Diversion low water crossings along the hike/bike trail; damage assessment would not be completed until the water receded

Motion by Pielstick, second by Hornady to approve Resolution #2005-160. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Whitesides to approve the Claims for the period of May 11, 2005 through May 24, 2005, for a total amount of \$2,304,379.94. Motion adopted unanimously. Councilmember Whitesides abstained from Claim #98548.

ADJOURNMENT: The meeting was adjourned at 8:13 p.m.

RaNae Edwards  
City Clerk