



City of Grand Island

Tuesday, June 28, 2005

Council Session

Item G1

Approving Minutes of June 14, 2005 City Council Regular Meeting

The Minutes of June 14, 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

June 14, 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 June 14, 2005. Notice of the meeting was given in the *Grand Island Independent* on June 8, 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 Assistant Director Bud Buettner, and City Attorney Doug Walker.

INVOCATION was given by Youth Minister Brian Pielstick, Independent Bethel Baptist Church, 1223 East 6th Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Diane Smutny, Purchasing Technician with the Finance Department for 20 Years of Service with the City. Mayor Vavricek and the City Council recognized Diane Smutny for her 20 years of dedicated service with the City as a Purchasing Technician in the Finance Department. Ms. Smutny was present for the recognition.

Recognition of Erika Anschutz for U.S. World Team Archery and U.S. National Team Archery Competitions. Mayor Vavricek and the City Council recognized Erika Anschutz for her many national championships and world records in archery. Ms. Anschutz was present for the recognition.

Recognition of Students from Senior High, Central Catholic, and Northwest High Schools for State Championships in Track. Mayor Vavricek and the City Council recognized the following students for their Championships at the State Track Meet:

Grand Island Senior High:

Eric Steele – Class “A: Pole Vault

Rebecca Brown and Megan Dillman – Girls #2 Tennis

Grand Island Central Catholic:

Kenny Howard – Class “C” Discus

Mallory Tinger – Girls Pole Vault

Northwest High School:

Brandon Harrington – 110 High Hurdles, 300 Intermediate Hurdles, and Long Jump

Sam Ogden – Pole Vault

Northwest Track Team – Class “B” Overall State Champions – Head Coach Dave Gee

PUBLIC HEARINGS:

Public Hearing on Request of Wal-Mart Stores, Inc. dba Wal-Mart Supercenter #3395, 3501 South Locust Street for a Class “D” Liquor License. City Clerk RaNae Edwards reported that Wal-Mart Stores, Inc. dba Wal-Mart Supercenter #3395, 3501 South Locust Street had submitted an application with the City Clerk’s Office for a Class “D” Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 26, 2005; notice to the applicant of date, time, and place of hearing mailed on May 31, 2005; notice to the general public of date, time, and place of hearing published on June 4, 2005; and Chapter 4 of the City Code. Recommendation was to approve contingent upon final inspections. No public testimony was heard.

Public Hearing on Amendment to Community Redevelopment Authority (CRA) Redevelopment Plan and Authorizing Tax Increment Financing. Doug Walker, City Attorney reported that Procon Development, LLC, had applied for tax increment financing to development twenty handicap accessible rental units located along the south side of Capital Avenue and the east side of Geddes Street. Approval had been given by CRA and the Regional Planning Commission. No public testimony was heard.

Public Hearing on Acquisition of Property Located at 1212 West 2nd Street. (Robert C. Ramold dba Domino’s Pizza) Doug Walker, City Attorney reported that acquisition of property located at 1212 West 2nd Street was required for the Library expansion project. Currently, negotiations were under way but had not been successful. The use of eminent domain would be necessary if negotiations were unsuccessful. No public testimony was heard.

Public Hearing on Acquisition of Property Located at 244 and 304 Stuhr Road. (Melvin W. & Jo Ann Meyer and M.J. Lake, LLC) Doug Walker, City Attorney reported that acquisition of property located at 244 and 304 Stuhr Road was required for development of a fire training facility. The purchase of the real estate as this location had been negotiated for the appraised price of \$583,900.00. No public testimony was heard.

Public Hearing Concerning Economic Development CDBG Grant. Joni Kuzma, Community Development Specialist reported that the City was applying for an economic development grant in the amount of \$254,000, of which \$250,000 would be loaned to the Grand Island Area Economic Development Corporation for funding a speculative building targeted to metal working or warehouse type companies. No public testimony was heard.

Public Hearing on Amendment to Extend CDBG Grant. Joni Kuzma, Community Development Specialist reported that in August of 2003, the City was awarded a Community Development Block Grant (CDBG) in the amount of \$270,4000 from the Nebraska Department of Economic Development for the rehabilitation of owner-occupied homes with the projects to be completed

by August 15, 2005. It was recommended that the project completion date be extended to February 15, 2006. 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:

#8979 – Consideration of Vacating a Portion of Adams Street North of West Koenig and Adjacent to the Property of 1224 & 1304 West Koenig Street

#8980 – Consideration of Vacating a Utility Easement in Voitles Addition, the North 112’ of a 16’ Wide Easement East of 727 East 9th Street

#8981 – Consideration of Creation of Street Improvement District No. 1257, Shanna Street in Western Heights 4th Subdivision

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

Bud Buettner, Assistant Public Works Director explained Ordinance’s #8979, #8980, and #8981.

Motion by Pielstick, second by Hornady to approve Ordinances #8979, #8980, and #8981.

City Clerk: Ordinances #8979, #8980, and #8981 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 #8979, #8980, and #8981 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 Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8979, #8980, and #8981 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-10, G-11, and G-12 were pulled for further discussion. Motion by Hornady, second by Cornelius to approve the Consent Agenda excluding items G-10, G-11, and G-12. Upon roll call vote, all voted aye. Motion adopted.

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

Approving Minutes of June 7, 2005 City Council Study Session.

Approving Appointment of Councilmember Mitch Nickerson to the Central District Health Department Board.

Approving Appointment of Matthew Armstrong to the Business Improvement District #5 Board.

Approving Appointment of Mark Stelk to the Citizens' Review Committee.

Approving Appointments of Councilmember's Margaret Hornady and Mitch Nicerson and Kurt Haecker to the City/County Efficiency Effectiveness Committee.

Approving Request of Wal-Mart Stores, Inc. dba Wal-Mart Supercenter #3395, 3501 South Locust Street for Class "D" Liquor License.

Approving Request of Bradley Koza, 2539 Delmonte Avenue for Liquor Manager Designation for Wal-Mart Supercenter #3395, 3501 South Locust Street.

Approving Preliminary Plat for Woodland Park Subdivision.

#2005-164 – Approving Final Plat and Subdivision Agreement for John Voitle's Second Subdivision. It was noted that Starostka Group Unlimited had submitted the final plat for John Voitle's Second Subdivision located on ground south of 9th Street and east of Beal Street for the purpose of creating 3 lots.

#2005-165 – Approving Final Plat and Subdivision Agreement for Northview First Subdivision. It was noted that Melvin E. and Dorothy V. Zichek had submitted the final plat for Northview First Subdivision located on a parcel of land in the E 1/2 NE 1/4 of Section 12-11-10 for the purpose of creating 33 lots.

#2005-166 – Approving Final Plat and Subdivision Agreement for Schimmer's Second Subdivision. It was noted that Jerome W. and Doralene F. Niedfelt Trustees had submitted the final plat for Schimmer's Second Subdivision located on property at 18th and Eddy Streets for the purpose of moving lot lines on two existing lots from a north/south configuration to an east/west configuration.

#2005-167 – Approving Final Plat and Subdivision Agreement for V & C Subdivision. It was noted that Melvin E. and Dorothy V. Zichek had submitted the final plat for V & C Subdivision located on an 80 acre parcel of land at the intersection of Stuhr Road and Swift Road for the purpose of splitting an existing farmstead.

#2005-168 – Approving Final Plat and Subdivision Agreement for Woodland Park Third Subdivision. It was noted that Hastings Ventures L.L.C. had submitted the final plat for Woodland Park Third Subdivision located on a parcel of land in the W 1/2 SE 1/4 of Section 2-11-10 for the purpose of creating 16 lots.

#2005-169 – Approving Final Plat and Subdivision Agreement for Woodland Park Fourth Subdivision. It was noted that Hastings Ventures L.L.C. had submitted the final plat for Woodland Park Fourth Subdivision located on a parcel of land in the W 1/2 SE 1/4 of Section 2-11-10 for the purpose of creating 30 lots.

#2005-170 – Approving Nebraska Community Improvement Program (NCIP) Intent to Enter and Proclamation.

#2005-171 – Approving Economic Development CDBG Grant.

#2005-172 – Approving Amendment to Extend CDBG Rahab Grant.

#2005-173 – Approving Designating the North Side of State Street between Custer Avenue and Lafayette Street as No Parking.

#2005-174 – Approving Amendment “C” to the Agreement with CH2M Hill for the UV Disinfection Project at the Wastewater Treatment Plant for an amount of \$326,500.00.

#2005-175 – Approving Task #1 under the Agreement with SH2M Hill for On-Call Engineering Consulting Services, Design of Lift Station Near the Intersection of Capital and Diers Avenues.

#2005-176 – Approving Bid Award for Modular Home Design/Build with Lockhart Homes of Grand Island, Nebraska in an Amount of \$141,210.00.

#2005-177 – Approving Agreement with Convention Visitors Bureau for Sub-Lease of Interstate 80 Signs in an Amount of \$250.00 per year for each sign.

#2005-178 – Approving Amendment No. 5 to the Agreement with Olsson Associates of Grand Island, Nebraska for Street Improvement District 1246, South Locust from Stolley Park Road to Fonner Park Road in an Amount of \$22,850.00.

#2005-161 – Approving Amendment to Community Redevelopment Authority (CRA) Redevelopment Plan and Authorizing Tax Increment Financing for Procon, LLC Proposed Handicapped Accessible Apartments Located along Capital Avenue and Geddes Street. Doug Walker, City Attorney and K.C. Henke, developer explained the \$1.4 million project. Discussion was held on the TIF financing.

Motion by Pielstick, second by Hornady to approve Resolution #2005-161. Upon roll call vote, all voted aye. Motion was adopted.

#2005-162 – Approving Acquisition of Property Located at 1212 West 2nd Street. (Robert C. Ramold dba Domino’s Pizza) Doug Walker, City Attorney explained that negotiations had taken place since February 2005. Discussion was held regarding eminent domain procedures. Mr. Walker stated negotiations would continue with eminent domain being used as a last resort.

Motion by Nickerson, second by Hornady to approve Resolution #2005-162. Upon roll call vote, all voted aye. Motion was adopted.

#2005-163 – Approving Acquisition of Property Located at 244 and 304 Stuhr Road. (Melvin W. & Jo Ann Meyer and M.J. Lake, LLC) Doug Walker, City Attorney reported that negotiations

had taken place with the Meyer's to purchase property located at 244 and 304 Stuhr Road for the development of a fire training facility. Mr. Walker stated that an appraised price of \$583,900.00 had been agreed upon.

Discussion was held with regards to costs and the type of facility that was proposed at this site versus the site east of the Central Community College. Fire Chief Jim Rowell stated there may be more meeting rooms at this site since they were a distance from the Community College which they had planned to use for meetings.

Gary Greer, City Administrator commented on the differences in these locations with regards to cost, location, and type of facility. Mentioned was the Law Enforcement facility that was going to be built in the same location which could be used for meetings, thereby eliminating the need for more meeting rooms at the training center.

Councilmember Gilbert thanked the Meyer family for negotiating and selling this property to the City.

Motion by Meyer, second by Pielstick to approve Resolution #2005-163. Upon roll call vote, Councilmember's Meyer, Whitesides, Pielstick, Gilbert, Nickerson, Cornelius, Pauly, Hornady, and Haase vote aye. Councilmember Walker voted no. Motion was adopted.

RESOLUTIONS:

#2005-179 – Approving Annexation Plan for Properties Located North of Capital Avenue and East of St. Paul Road and Various Properties Adjacent to the City of Grand Island and Scheduling Public Hearing. Chad Naby, Regional Planning Director reported that a request had been made to annex property north of Capital Avenue and east of St. Paul Road to connect to city sewer. City Administration suggested other properties adjacent to 1024 Capital Avenue and properties purchased by the waste water utility department as well as street right-of-way be annexed into the City. Mr. Naby reviewed the Annexation Plan – June 2005.

Motion by Hornady, second by Pielstick to approve Resolution #2005-179. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady to approve the Claims for the period of May 25, 2005 through June 14, 2005, for a total amount of \$3,010,092.27. Motion adopted unanimously.

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

RaNae Edwards
City Clerk