



City of Grand Island

Tuesday, August 23, 2005

Council Session

Item G1

Approving Minutes of August 9, 2005 City Council Regular Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

July 9, 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 August 9, 2005. Notice of the meeting was given in the *Grand Island Independent* on August 3, 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, Hornady and Haase. The following City Officials were present: City Administrator Gary Greer, Deputy City Clerk Paul M. Briseno, Public Works Director Steve Riehle, and City Attorney Doug Walker.

INVOCATION was given by Pastor Scott Friesen, Berean Bible Church, 4116 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS: Presentation of the Community Redevelopment Authority (CRA) 2005-2006 Annual Budget, presented by CRA Director Chad Nabity. Also discussed were blighted and substandard areas, CRA goals 2005/2006, Fiscal Resources, program funding, and responsibilities of the CRA. No questions were asked by the council.

PUBLIC HEARINGS:

Public Hearing and Approval of FY 2004-05 City Single Budget. Gary Greer, City Administrator presented the revised FY 2004-05 city single budget and proposed FY 2005-06 city single budget. The reporting included the general fund, capital projects, mill levy, FTE's, Fee schedules, cash balances, and an outline for the budget process. Connie Vanwie of #10 Kuester Lake and Irene Abernethy of 707 South Blain St. spoke on this issue requesting a swimming facility for team swimming. No further public testimony was heard

Public Hearing on Request of Larry Knuth for Conditional Use Permit for a Sand and Gravel Operation Located at 3554 West Wildwood. Building Director Craig Lewes presented the request to rezone the property that is currently TA or transitional agriculture. Mr. Lewis also noted that no licenses engineer has yet approved the request and upon this request the permit should be approved. No public testimony was heard.

Public Hearing on Change of Zoning for Lot 1, Crane Valley 7th Subdivision from RD Residential Development to B2 General Business. Regional Planning Director Chad Nabity reported that the rezoning of Lot 1 Crane Valley 7th Subdivision to B2 General Business was from lack of development. In 2003 Lot 1, Crane Valley 7th Subdivision was declared RD

Residential Development for proposed build of dwelling units. The developer had 18 months with a 6 month extension. No public testimony was heard.

Public Hearing on Change to Development Agreement for Via Milano Subdivision relative to Distance Between Buildings on Adjacent Lots and Infringements into the Easements and Outlots. Planning Director Chad Nabity reported that amendments made in the council memo were designed to clarify the rights and responsibilities of all parties with respect to the development of Via Milano. Todd Enk, the developer for the proposal, was on hand to answer questions.

Public Hearing on Amendments to Chapter 36 of the Grand Island City Code Relative to Massage Therapy. Planning Director Chad Nabity reported that the planning commission has recommended that no change be made to the regulations. Kristi Comer of 3112 Brentwood Circle spoke in failure of the amendment to allow massage therapy in residential zones.

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:

#8994 – Approving Change of Zoning for Lot 1, Crane Valley 7th Subdivision from RD Residential Development to B2 General Business

#8995 – Consideration of Amendments to Chapter 36 of the Grand Island City Code Relative to Massage Therapy

#8996 – Consideration of Approving Salary Ordinance

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

#8994 – Approving Change of Zoning for Lot 1 Crane Valley 7th Subdivision from RD Residential Development to B2 General Business

Motion by Hornady, second by Pielstick to approve Ordinance #8994.

City Clerk: Ordinance #8994 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 #8994 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 #8994 is declared to be lawfully adopted upon publication as required by law.

#8995 – Consideration of Amendments to Chapter 36 of the Grand Island City Code Relative to Massage Therapy

Planning Director Chad Nabity reported that the amendment had been reviewed by the Planning Commission with a recommendation of no changes to Chapter 36 Zoning Regulations. Discussions between council and Kristi Comer occurred.

Motion by Whitesides, second by Haase to approve Ordinance #8995.

City Clerk: Ordinance #8995 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmember's Haase, Walker, and Whitesides voted yes. Councilmember's Cornelius, Gilbert, Hornady, Meyer, Nickerson, Pauly, and Pielstick voted no. Motion Fails

Motion by Nickerson, second by Hornady to deny Ordinance #8995.

City Clerk: Motion to deny Ordinance #8995. All those in favor of the denial of this ordinance answer roll call vote. Upon roll call vote, councilmember's Haase, Walker, and Whitesides voted no. Councilmember's Cornelius, Gilbert, Hornady, Meyer, Nickerson, Pauly and Pielstick voted yes. The Mayor exercised his mayoral right to vote and voted yes. Motion to deny Ordinance #8995 passed.

#8996 – Consideration of Approving Salary Ordinance

Human Resources Director Brenda Sutherland reports on the process of calculating the proposed salary ordinance. No questions were asked by council.

Motion by Hornady, second by Nickerson to approve Ordinance #8996.

City Clerk: Ordinance #8995 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 #8995 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 #8995 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.

Approving Minutes of July 26, 2005 City Council Meeting.

Approving Re-Appointment of Gene McCloud and Rhonda Saalfeld to the Business Improvement District (BID) #3 Board.

Approving Request from Fonner Park Exposition and Events Center, Inc. for Ratification of Election of Board of Directors.

Approving Request of Larry Knuth for Conditional Use Permit for a Sand and Gravel Operation Located at 3554 West Wildwood. Councilmember Nickerson noted that the passage of this item contingent that all requirement are met by the Building Department

#2005-216 – Approving Change to Development Agreement for Via Milano Subdivision Relative to Distance Between Buildings on Adjacent Lots and Infringements into the Easements and Outlots.

#2005-217 – Approving Final Plat and Subdivision Agreement for Goodrich Second Subdivision.

#2005-218 – Approving Final Plat and Subdivision Agreement for Martin’s Fourth Subdivision.

#2005-219 – Approving Final Plat and Subdivision Agreement for Sunny Side Second Subdivision.

#2005-220 – Approving Bid Award – Corrosion Control Solution – Utilities Department, Water Department.

#2005-221 – Approving Replacement of Fire Protection Systems at the Utilities Service Center.

#2005-222 – Approving Cross Street Banners

#2005-223 – Approving Agreement with USGS and the City of Grand Island for Platte River Well Field River Channel Analysis.

#2005-224 – Approving Contract Documents for Participation in the Whelan Energy Center Unit #2.

#2005-225 – Approving Authorization for Emergency Sanitary Sewer Force Main Repairs on Capital Avenue.

2005-226 – Approving Bid Award for Two Bridges for Northbound Lanes on So. Locust St. Between I-80 and Wood River Diversion Channel.

2005-227 – Approving Keno Satellite Location and Agreement for the Midtown Holiday Inn, Located at 2503 South Locust Street, Grand Island, Nebraska.

2005-228 – Approving Contract with University of Nebraska-Lincoln for Graduate Assistant Planning Intern.

2005-229 – Approving Number of Board Members for Business Improvement District #3 and Appointing Bill Lowery and Jeff Reed.

#2005-231 – Approving Bid Award for Asbestos Removal & Demolition of Improvements at 1204, 1212 & 1216 West 2nd Street, 214 N. Washington St. And 1203/1205, 1209, 1215, & 1221 West 3rd Street.

REQUESTS AND REFERRALS:

Consideration of Annexation for Property Located South of Case New Holand and West of US Highway 281 and Refer to the Regional Planning Commission. Planning Director Chad Nabity reported that the owners of this property are anticipating development of the property and requesting that the city bring it in to the corporate limits.

Consideration of Annexation Property Located South of Sandra Road and East of South Locust Street and Refer to the Regional Planning Commission. Planning Director Chad Nabity reported that Beverly Healthcare is planning to expand their operations at this site to the south.

Motion by Hornady, second by Cornelius to refer the H1 and H2 to the Planning Commission. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Hornady approve the Claims for the period of July 27, 2005 through August 9, 2005, for a total amount of \$3,085,621.80. Motion adopted unanimously. Councilmember Pielstick abstained from voting on claim #105463.

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

Paul M. Briseno
Deputy City Clerk