



City of Grand Island

Tuesday, September 13, 2005

Council Session

Item G1

Approving Minutes of August 23, 2005 City Council Regular Meeting

*The Minutes of August 23, 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

August 23, 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 23, 2005. Notice of the meeting was given in the *Grand Island Independent* on August 17, 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, and Public Works Director Steve Riehle.

INVOCATION was given by Father Phil Flott, St. Mary's Cathedral Catholic Church, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Ray Micek, Distribution Superintendent with the Utilities Department for 40 Years of Service with the City. Mayor Vavricek and the City Council recognized Ray Micek for his 40 years of dedicated service with the City as Distribution Superintendent with the Utilities Department. Gary Mader, Utilities Director commented on Mr. Micek's service and thanked him. Mr. Micek and his wife Mary were present.

Recognition of Larry Cornelius, Senior Engineering Technician with the Public Works Department for 35 Years of Service with the City. Mayor Vavricek and the City Council recognized Larry Cornelius for his 35 years of dedicated service with the City as Senior Engineering Technician with the Public Works Department. Steve Riehle, Public Works Director commented on Mr. Cornelius' service and thanked him. Mr. Cornelius and his wife Ellie were present.

PUBLIC HEARINGS:

Public Hearing on Change of Zoning for Land Located at 224 East Capital Avenue from M2 Heavy Manufacturing to B2 General Business. Chad Nabity, Regional Planning Department Director reported that rezoning was required for property located at 224 East Capital Avenue from M2 Heavy Manufacturing to B2 General Business. If approved the owners would be able to rebuild the house should it become damaged which was not the case with the current zoning. No public testimony was heard.

Public Hearing on Change of Zoning for Land that was Proposed for Platting as El Huerto Subdivision Located South of Capital Avenue and East of St. Paul Road from RD Residential Development to TA Transitional Agricultural. Chad Nabity, Regional Planning Director reported that El Huerto Subdivision was approved more than 18 months ago and construction had not started. According to the Grand Island Zoning Regulations RD zones must be rezoned to an appropriate district if construction does not begin in the first 18 months and the developer had not requested and been granted a six month extension. No public testimony was heard.

Public Hearing on Change of Zoning for Land Located South of Sandra Road and East of South Locust Street from LLR Large Lot Residential to RO Residential Office. Chad Nabity, Regional Planning Director reported that Beverly Healthcare Lakeview had purchased this property located adjacent to and south of their existing building. They were requesting the property be rezoned to allow them to expand their operation. 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:

- #8997 – Consideration of Change of Zoning for Land Located at 224 East Capital Avenue from M2 Heavy Manufacturing to B2 General Business
- #8999 – Consideration of Change of Zoning for Land Located South of Sandra Road and East of South Locust Street from LLR Large Lot Residential to RO Residential Office
- #8998 – Consideration of Change of Zoning for Land that was Proposed for Platting as El Huerto Subdivision Located South of Capital Avenue and East of St. Paul Road from RD Residential Development to TA Transitional Agricultural
- #9000 – Consideration of Approving FY 2005-2006 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1

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.

Councilmember Pielstick complimented Administration and staff on their work regarding Ordinance #9000.

City Clerk: Ordinances #8997, #8999, #8998, and #9000 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 #8997, #8999, #8998, and #9000 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 #8997, #8999, #8998, and #9000 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent item G-9 was pulled for further discussion. Motion by Hornady, second by Whitesides to approve the Consent Agenda excluding item G-9. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of August 9, 2005 City Council Regular Meeting.

Approving Minutes of August 10, 2005 City Council Special Budget Meeting.

Receipt of Official Document – Civil Service Minutes of July 20, 2005.

#2005-232 – Approving a Resolution of Support for the Rural Enterprise Assistance Project (REAP) to Provide Future Business Development Services.

#2005-233 – Approving Grand Island Area Economic Development Recommendation to Rescind Contract with Westward Airways, Inc.

#2005-234 – Approving Bid Award for Water Main District No. 450 and 451 with Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$205,154.38.

#2005-235 – Approving Bid Award for Construction of Buildings, Baffles, Sheds, and Picnic Shelter for the Heartland Public Shooting Park with Galvan Construction of Grand Island, Nebraska in an Amount of \$452,706.00.

#2005-236 – Approving Agreement with Nebraska Department of Roads for Construction of the Grand Island River Way Trail for an Approximate Amount of \$86,977.00 to the City.

#2005-238 – Approving Bid Award for Auger Type Loader Mounted Snow Blower for the Street & Transportation Division with Nebraska Machinery Co. of Doniphan, Nebraska in an Amount of \$55,560.00.

#2005-239 – Approving Bid Award for Construction of Two Bridges for Northbound Lanes on South Locust Street North of Interstate 80 with Diamond Engineering Company, Inc. of Grand Island, Nebraska in an Amount of \$1,179,155.59 and to Rescind Resolution #2005-226.

#2005-240 – Approving Program Agreement with Nebraska Department of Roads for Widening of Capital Avenue from Moores Creek Drain to Webb Road.

#2005-241 – Approving Agreement for Construction Engineering Services for Two Bridges on South Locust Street North of Interstate 80 with TranSystems Corporation of Omaha, Nebraska for an Amount not to exceed \$152,701.62.

#2005-230 – Approving Settlement Agreement with Karl & Kathy Siemon in an Amount of \$1,000 and for Installation of Sanitary Sewer Backup Device

#2005-242 – Approving Interlocal Agreement with Hall County Relative to Bookmobile.

#2005-237 – Approving Consultant Agreement for Homeless Study with Center for Rural Research and Development of Kearney, Nebraska in an Amount not to exceed \$49,300.00. Councilmember Pielstick questioned the billing process for the homeless study. Marsha Kashlon, Community Development Administrator explained the process and introduced Kay Payne representing the Center for Rural Research and Development who stated they would bill the city each month for services completed.

Motion was made by Pielstick, second by Hornady to approve Resolution #2005-237. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Mark Galvan of 584 East 20th Street Regarding Managing Girls Softball League. Mark Galvan, 584 East 20th Street requested a change to the management of the Girls Softball League. Mr. Galvan encouraged the association with the Nebraska Softball Association.

Councilmember Pielstick commented that this was a private entity and council could not vote on this. Discussion was held regarding Kearney's leagues and the Nebraska Softball Association. Steve Paustian, Parks and Recreation Director explained the background of the girls softball program. Councilmember Whitesides encouraged Mr. Galvan to form an organization and then come back to council for use of the softball fields.

Vern Engel, 528 Wyandotte Street, President of the Girls Softball Association answer questions concerning their association and the processes that had taken place this season. Mike Galvan, 575 East Capital Avenue spoke concerning several issues that had happened during the softball season and spoke in support of the changes recommended by Mark Galvan. Kevin Woodward, 2407 Cottonwood Road commented on liability issues and encouraged the council with the recommended changes.

Gary Greer, City Administrator explained his experiences in Kearney, NE and Manhattan, KS under his management and how their fields functioned. Mr. Greer stated the city's responsibility was to maintain the fields. He recommended the City schedule the fields allowing for more than one association to use the fields and suggested council take this under advisement.

Consideration of Request from Connie VanWie, 10 Kuester Lake Road Regarding Pool Facilities. Connie VanWie, 10 Kuester Lake Road requested the City look at construction of a competitive pool facility. Ms. Van Wie commented on the needs of the community. A lengthy discussion was held by council regarding costs and budgets.

Tricia Beem, 1419 Hage and Todd Paulsen, St. Paul, NE spoke in support of a therapeutic pool facility. Irene Abernethy, 707 South Blaine Street and Thor Larson, 2310 West Louise spoke in support of a competitive pool facility.

The City Council encouraged joint efforts and private donations to start the efforts of a facility like this. Current commitments and budgets would not allow the council to approve this request at this time.

RESOLUTIONS:

#2005-243 – Consideration of Approving 1% Increase to the Lid Limit. David Springer, Finance Director reported that in 1998 the Nebraska State Legislature passed LB 989 which put a cap on the amount of restricted revenues a political subdivision could budget for. The restricted revenues that the City of Grand Island included in the budget were Property Taxes, Local Option Sales Tax, Motor Vehicle Tax and State Aid. Of those restricted revenues, property tax was the only revenue that the City could control. The increase in restricted funds authority using the 1% additional amount and the population growth (when available) was not an increase in budgeted revenues. It only provided the ability to increase restricted revenues, particularly property tax, in a future year if necessary.

Motion was made by Whitesides, second by Hornady to approve Resolution #2005-243. 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 August 10, 2005 through August 23, 2005, for a total amount of \$3,447,356.07. Motion adopted unanimously. Councilmember Pielstick abstained from voting on claims #105832 and #106391.

ADJOURN TO EXECUTIVE SESSION: Motion by Hornady, second by Walker to adjourn to Executive Session at 9:05 p.m. for the purpose of discussing personnel issues. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Pielstick, second by Meyer, to return to Regular Session at 9:30 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:30 p.m.

RaNae Edwards
City Clerk