



# City of Grand Island

Tuesday, December 06, 2005

Council Session

## Item -1

### **Approving Minutes of November 22, 2005 City Council Regular Meeting**

*The Minutes of November 22, 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

November 22, 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 November 22, 2005. Notice of the meeting was given in the *Grand Island Independent* on November 16, 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, City Attorney Doug Walker, and Public Works Director Steve Riehle.

INVOCATION was given by Minister Scott Jones, Third City Christian Church, 4100 West 13<sup>th</sup> Street followed by the PLEDGE OF ALLEGIANCE.

ADJOURN TO BOARD OF EQUALIZATION: Motion by Pielstick, second by Cornelius, carried unanimously to adjourn to the Board of Equalization.

#2005-BE-13 – Consideration of Determining Benefits for Sanitary Sewer District No. 512; Mary Lane, Kentish Hills and Bradley Subdivisions. Steve Riehle, Public Works Director reported that this issue was discussed at the November 8, 2005 City Council meeting and was referred to this meeting because of opposition concerning a detention cell from Matt and Lori Bieber. This action would determine the benefits for Sanitary Sewer District No. 512

Motion by Pielstick, second by Hornady to approve Resolution #2005-BE-13. A lengthy discussion followed with Matt Bieber, 3809 Mary Lane speaking in opposition. Questions as to the size of the lot, if a house could be built, and if the two lots could be combined into one lot for assessment were discussed. Craig Lewis, Building Department Director stated there would be room to build a house on the lot. Gary Greer, City Administrator commented on the subdivision and size of lots and Doug Walker, City Attorney commented on the assessments with regards to the Bieber property.

Motion by Hornady, second by Pielstick to call for the previous question. Upon roll call vote all voted aye. Motion adopted.

Upon roll call vote of the main motion to approve Resolution #2005-BE-13, Councilmember's Meyer, Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase vote aye. Councilmember Gilbert abstained. Motion adopted.

#2005-BE-14 – Consideration of Determining Benefits for Sanitary Sewer District No. 517; Deadwood Subdivision (Arch Avenue and Johnstown Road Area). Steve Riehle, Public Works Director reported that Sanitary Sewer District No. 517 was completed for a total cost of \$21,463.14. This action would determine the benefits for Sanitary Sewer District No. 517.

Motion by Hornady, second by Pielstick to approve Resolution #2005-BE-14. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Whitesides, second by Gilbert, carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

Public Hearing on Change of Zoning for Land Located South of Highway 34 and West of South Locust Street Proposed for Platting as Kings Crossing Subdivision from B2-GCO General Business to CD-GC Commercial Development. Chad Nabity, Regional Planning Director reported this property was being redeveloped and replatted within the Gateway Corridor Overlay zone along South Locust proposed for platting as Kings Crossing Subdivision. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located North of Fonner Park Road between Pine and Sycamore Streets. (NE Goodwill Housing II, Inc.) Gary Mader, Utilities Director reported that acquisition of a utility easement located north of Fonner Park road between Pine and Sycamore Streets was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The purpose of this easement would be used to place a three phase pad-mounted transformer and underground cable to provide electric service to the new apartment building. No public testimony was heard.

Public Hearing for Public Comment on the CDBG Funds for Housing Rehabilitation. Marsha Kaslon, Community Development Administrator reported that the Community Development Division is required by the Department of Economic Development (DED) to hold a second public hearing inviting public comment on the Community Development Block Grant funds the City of Grand Island spent and the progress made during the process of the grant. No public testimony was heard. No further action was required by Council.

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:

#9014A – Consideration of Assessments for Sanitary Sewer District No. 512 - Mary Lane, Kentish Hills and Bradley Subdivisions.

#9016 – Consideration of Creation of Street Improvement District No. 1258; Faidley Avenue Extending West for Six Hundred Fifty Feet (650 Feet)

#9018 – Consideration of Assessments for Sanitary Sewer District No. 517; Deadwood Subdivision; Arch Avenue and Johnstown Road Area

#9019 – Consideration of Change of Zoning for Land Located South of Highway 34 and West of South Locust Street Proposed for Platting as Kings Crossing Subdivision from B2-GCO General Business to CD-GCO Commercial Development

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.

Motion by Meyer, second by Cornelius to approve Ordinances No. 9014A, 9016, 9018, and 9019.

City Clerk: Ordinances No. 9014A, 9016, 9018 and 9019 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 Gilbert abstained from voting on Ordinance No. 9014A. Motion adopted.

City Clerk: Ordinances No. 9014A, 9106, 9018 and 9019 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 Gilbert abstained from voting on Ordinance No. 9014A. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinances No. 9014A, 9016, 9018 and 9019 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent items G-3 and G-4 were removed for further discussion. Motion by Hornady, second by Cornelius to approve the Consent Agenda excluding items G-3 and G-4. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of November 8, 2005 City Council Regular Meeting.

Approving Preliminary Plat for Kings Crossing Subdivision.

#2005-326 – Approving Funding of Economic Development Corporation Request for Standard Iron (NWPS Rate Agreement Funds) in an Amount of \$25,000.00.

#2005-327 – Approving Funding Request for Grand Island Area Economic Development Corporation (NWPS Rate Agreement Funds) in an Amount of \$25,000.00.

#2005-328 – Approving Acquisition of Utility Easement Located North of Fonner Park Road between Pine and Sycamore Streets (NE Goodwill Housing II, Inc.).

#2005-329 – Approving the Continuing Disclosure Agreement and the Certificate of Participant for OPPD Nebraska City #2 Power Plant Participation.

#2005-330 – Approving Bid Awards for Tree Trimming Contract 2006-TT-1 with Tom's Tree Service of Grand Island, Nebraska for Sections 1, 2, 4, 5, 6, 7, and 10 in an Amount of \$81,800.00; Sheffield Tree Service of Grand Island, Nebraska for Sections 3, 8, and 9 in an Amount of \$13,550.00; and Wright Tree Service, Inc. of Des Moines, Iowa for Sections 11 and 12 in an Amount of \$37,700.00.

#2005-331 – Approving Bid Award for One (1) 128 Cubic yard Solid Waste Transfer Trailer with Wilkens Industries, Inc. of Morris, Minnesota in an Amount of \$53,192.00.

#2005-332 – Approving Bid Award for One (1) 2007 Model 90,000 GVW Conventional Truck-Tractor with Nebraska Truck Center, Inc. of Grand Island, Nebraska in an Amount of \$84,967.00.

#2005-333 – Approving Bid Award for Maintenance Work Adjacent to the Downtown Parking Lots and Ramp with Rick's Lawn Care of Grand Island, Nebraska in an Amount of \$5,275.00.

#2005-335 – Approving Changes to Speed Limits on East US Highway 30.

#2005-336 – Approving Bid Award for Six (6) Police Vehicles with Anderson ford Lincoln Mercury of Grand Island, Nebraska in an Amount of \$134,460.00.

#2005-337 – Approving Change Order No. 1 for Asbestos Removal and Demolition of Improvements at 1204, 1212, & 1216 West 2<sup>nd</sup> Street; 214 N. Washington Street, and 1203/1205, 1209, 1215, & 1221 West 3<sup>rd</sup> Street with Environmental Direct, Inc. of Grand Island, Nebraska for an increase of \$16,060.00 and a revised contract amount of \$159,393.19.

#2005-324 – Approving Final Plat and Subdivision Agreement for Kings Crossing Subdivision. It was noted that R2S2 L.L.C., owners had submitted the final plat for Kings Crossing Subdivision located in the NE1/4 NE1/4 Section 33-11-9 for the purpose of creating 5 lots on approximately 7.30 acres. Discussion was held by Council regarding the east exit and traffic safety issues.

Motion by Nickerson, second by Meyer to approve Resolution #2005-324. Upon roll call vote, all voted aye. Motion adopted.

#2005-325 – Approving Services Contract for Section 125 Cafeteria Plan with ProcessWorks, Inc. of Brookfield, Wisconsin in an Amount of \$4.00 per participant per year with an initial setup fee of \$500.00 and an annual service fee of \$400.00 for a term of four-years. Brenda Sutherland, Human Resources Director reported the process of negotiating for a Section 125 Cafeteria Plan. Councilmember Gilbert was concerned with not using a local company. Ms. Sutherland stated the turn around time, computer access to filing claims, and future use of debit cards were looked at which the local company could not supply.

Motion by Hornady, second by Pielstick to approve Resolution #2005-325. Upon roll call vote, Councilmember's Meyer, Whitesides, Pielstick, Nickerson, Cornelius, Pauly, Hornady, Walker, and Haase voted aye. Councilmember Gilbert voted no. Motion adopted.

REQUESTS AND REFERRALS:

Request form Wayne E. Vian for Ashlar Lodge No. 33 AF & AM for Permission to Re-Dedicate the Cornerstone at Edith Abbott Memorial Library and Policy and Procedures for Future City Buildings. Wayne Vian representing the Mason's requested the Grand Island City Council's permission to re-dedicate the cornerstone at the Edith Abbott memorial Library. Also requested was a procedure or policy where Ashlar Lodge could lay a cornerstone at future city buildings at no cost to the city.

A lengthy discussion was held concerning the Masonic emblem. Mr. Vian stated the emblem was of a compass and square, those tools used in masonry and building. Also mentioned was that the Mason's were not a religious organization. Greg Baxter, 1723 Bridle Lane spoke in support.

Motion by Whitesides, second by Walker to approve the request of the Masons to direct staff to re-dedicate the cornerstone at the Edith Abbot Library and that all further request be brought before the City Council for other city owned buildings. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Gilbert to approve the Claims for the period of November 9, 2005 through November 22, 2005, for a total amount of \$2,663,646.11. Motion adopted unanimously. Councilmember Pielstick abstained from claim #112719.

Motion by Cornelius, second by Hornady to approve the following Claims for the Library Expansion:

#1	\$40,788.43
#2	\$668,829.59
#3	\$1,000.00
#4	\$340,190.79
#5	\$8,680.00
#6	\$4,280.00
#7	\$14,333.32
#8	\$3,100.00

Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 8:25 p.m.

RaNae Edwards  
City Clerk