



City of Grand Island

Tuesday, February 28, 2006

Council Session

Item G1

Approving Minutes of February 14, 2006 City Council Regular Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

February 14, 2006

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 February 14, 2006. Notice of the meeting was given in the *Grand Island Independent* on February 8, 2006.

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, Hornady, Walker, and Haase. Councilmember's Cornelius and Pauly were 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 Randy Fett, St. Paul's Lutheran Church, 1515 South Harrison Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Clista Campbell, Engleman Elementary School 5th Grade Teacher who introduced Beau Johnson who presented his "Top Ten Reasons to Live in Grand Island".

PRESENTATIONS AND PROCLAMATIONS:

Presentation to Burhl Gilpin, Assistant Utilities Director at Phelps Control for Thirty-Five Years of Service. The Mayor and City Council recognized Burhl Gilpin for his 35 years of service with the City. Utilities Director Gary Mader commented on Mr. Gilpin's service as Assistant Utilities Director at Phelps Control. Mr. Gilpin was present to receive a certificate.

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

#2006-BE-2 – Consideration of Determining Benefits for Street Improvement District No. 1255; Independence Avenue, Shanna Street & Lariat Lane. Steve Riehle, Public Works Director reported that the work had been completed and special assessments had been calculated for Street Improvement District No. 1255. The total assessable cost was \$315,637.57.

#006-BE-3 – Consideration of Determining Benefits for 2005 Weed Abatement Program. Doug Walker, City Attorney reported that under Chapter 17 of the Grand Island City Code, the City had several properties which were not mowed of which the City contracted to have taken care of. The City Council in its' capacity as the Board of Equalization was required to determine the benefits for the 2005 Weed Abatement Program.

Motion by Pielstick, second by Hornady to approve Resolutions #2006-BE-2 and #2006-BE-3. Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request of Douglas & Sherri Luth dba Gas Island II, 2012 N. Webb Road for a Class "B" Liquor License. RaNae Edwards, City Clerk reported that Douglas & Sherri Luth owners of Gas Island II, 2012 N. Webb Road had submitted an application with the City Clerk's Office for a Class "B" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on January 12, 2006; notice to the applicant of date, time, and place of hearing mailed on January 12, 2006; notice to the general public of date, time, and place of hearing published on February 4, 2006; along with Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Along the East Side of Engleman Road from Potash Highway South 1/2 Mile. (Glenwood H. Hargens, Trustee) Gary Mader, Utilities Department Director reported that acquisition of a utility easement located along the east side of Engleman Road from Potash Highway South 1/2 mile 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 to continue the overhead electrical feeder along Engleman Road. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 2900 Old Lincoln Highway. (The Military Department of the State of Nebraska) Gary Mader, Utilities Department Director reported that acquisition of a utility easement located at 2900 Old Lincoln Highway, on the north side of the Nebraska National Guard Armory 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 locate primary electrical cable and a pad-mounted transformer. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement Located at 601 Congdon Avenue. (Michael & Marilyn Galvan) Steve Riehle, Public Works Director reported that acquisition of a public utility easement located at 601 Congdon Avenue was needed in order to have access to install, upgrade, maintain, and repair public utilities. The purpose of this easement would be used to construct public sanitary sewer to serve the dwelling at 601 Congdon Avenue. No public testimony was heard.

Public Hearing on the One and Six Year Street Improvement Program. Steve Riehle, Public Works Director reported that adoption of a One and Six Year Street Improvement Program was required by State law as part of the requirements to receive approximately three million dollars of state gas tax funds each year. This item was referred to the Regional Planning Commission by Council at their January 24, 2006 Regular Meeting. The Regional Planning Commission conducted a Public Hearing at their February 2, 2006 meeting. Paul Hamilton, 305 Cherokee

questioned where the funds were coming from to pay for the Hike/Bike Trail. No further public testimony was heard.

Public Hearing Concerning Amendments to Chapter 33-1 of the City Code Relative to the Definition of Streets. Chad Nabity, Regional Planning Director reported that developers of LaRue Subdivision submitted an application to amend the Subdivision Ordinance pertaining to the Definition of Streets. The request was that private streets may be authorized with the subdivision agreement. No public testimony was heard.

Public Hearing Concerning Annexation of Property Proposed for Platting as Ewoldt Subdivision an Addition to the City of Grand Island Located South of Husker Highway and West of U.S. Highway 281. Chad Nabity, Regional Planning Director reported that land contiguous with the City Limits proposed for platting as Ewoldt Subdivision located in the NE 1/4 of Section 36-11-10 be annexed as an addition to the City of Grand Island. Sewer and water were available and would not impact the two-mile extraterritorial jurisdiction of Grand Island. No public testimony was heard.

Public Hearing on Application for Edward Byrne Memorial Justice Assistance Grant (JAG) 2006. Steve Lamken, Police Chief reported that the Grand Island Police Department and Hall County Sheriff's Department were eligible to receive Justice Assistance Grant monies from the U.S. Department of Justice in 2006 in the amount of \$19,530.00 to be spent over a four year period. The Hall County Sheriff's Department would receive \$4,882.50 for purchase of computer equipment. The Grand Island Police Department would receive \$14,647.50 to purchase Data911 mobile data and video equipment for patrol vehicles and operational costs for the Central Nebraska Drug Court.

ORDINANCES:

Chad Nabity, Regional Planning Director reported Ordinance #9026 related to the Public Hearing held on January 24, 2006 and was the second of three readings.

#9026 – Consideration of Annexation of Property Located South of Old Potash Highway and East of Engleman Road. (Second Reading)

Motion by Pielstick, second by Walker to approve Ordinance #9026 on second reading. Upon roll call vote, all voted aye. Motion adopted.

Councilmember Pielstick moved “that the statutory rules requiring ordinances to be read by title on three different days be suspended and that ordinances numbered:

#9027 - Consideration of Assessments for Street Improvement District No. 1255; Independence Avenue, Shanna Street & Lariat Lane
#9028 – Consideration of Assessments for 2005 Weed Abatement Program
#9029 – Consideration of Amendments to Chapter 1 of the City Code Relative to Definitions

#9030 – Consideration of Amendments to Chapter 14 of the City Code Relative to Elections

#9031 – Consideration of Amendments to Chapter 33-1 of the City Code Relative to the Definition of Streets

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

Discussion was held on Ordinance #9031 concerning street width.

Motion by Gilbert, second by Meyer to approve Ordinances #9027, #9028, #9029, #9030, and #9031.

City Clerk: Ordinances #9027, #9028, #9029, #9030 and #9031 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 #9027, #9028, #9029, #9030 and #9031 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 #9027, #9028, #9029, #9030 and #9031 are declared to be lawfully adopted upon publication as required by law.

Chad Nability, Regional Planning Director reported that Ordinance #9032 related to the aforementioned Public Hearing Item E-7.

Motion by Pielstick, second by Meyer to approve Ordinance #9032 on first reading.

#9032 – Consideration of Annexation of Property Proposed for Platting as Ewoldt Addition Located South of Husker Highway and West of U.S. Highway 281 (First Reading)

Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA: Consent Agenda Item G-14 was pulled from the agenda at the request of the Public Works Department. Motion by Hornady, second by Walker to approve the Consent Agenda excluding item G-14. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Tort Claim for Maria Bartlett on Behalf of Tyler Kventensky.

Approving Minutes of January 24, 2006 City Council Regular Meeting.

Approving Minutes of January 28, 2006 City Council Special Study Session Retreat.

Approving Minutes of January 31, 2006 City Council Study Session.

Approving Minutes of February 7, 2006 City Council Study Session.

Approving Preliminary Plat for LaRue Subdivision.

#2006-35 – Approving Final Plat and Subdivision Agreement for Logan’s Subdivision. It was noted that Central Nebraska Natural Resources District, owners had submitted the final plat for Logan’s Subdivision located on 1.93 acres of land in the SE 1/4 of Section 34-11-9 for the purpose of creating 1 lot.

#2006-36 – Approving Acquisition of Utility Easement Along the East Side of Engleman Road from Potash Highway South 1/2 Mile. (Glenwood H. Hargens, Trustee of the Jane H. Hargens Family Trust and Trustee of the Hargens Family Joint Revocable Trust)

#2006-37 – Approving Acquisition of Utility Easement Located at 2900 Old Lincoln Highway. (The Military Department of the State of Nebraska – National Guard Armory)

#2006-38 – Approving Bid Award for Water Main Project 2006-W-2 – Sycamore and 1st Streets with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$44,413.27.

#2006-39 – Approving Contract for Architectural/Engineering Services for Household Hazardous Waste and Recycling Complex with MILCO Environmental Services, Inc. of Kearney, Nebraska in an Amount of \$67,500.00.

#2006-40 – Approving Acquisition of a Public Utilities Easement Located at 601 Congdon Avenue. (Michael & Marilyn Galvan)

#2006-41 – Approving Certificate of Final Completion for Street Improvement District No. 1246; South Locust Street from Stolley Park Road to Fonner Park Road with The Diamond Engineering Company of Grand Island, Nebraska.

#2006-42 – Approving Agreement for Consulting Engineering Services for Lift Station No. 19 with CH2M Hill of Englewood, Colorado in an Amount of \$364,190.00. This item was pulled from the agenda at the request of the Public Works Department.

#2006-43 – Approving Bid Award for 2006-WWTP-1 Roof Replacement on Building No. 6 of the Wastewater Treatment Plant with Weathercraft Company of Grand Island, Nebraska in an Amount of \$59,555.00.

#2006-44 – Approving Bid Award for Sanitary Sewer District No. 519, Lots 10 through 21 of Westwood Park Second Subdivision with Starostka Group of Grand Island, Nebraska in an Amount of \$170,398.26.

#2006-45 – Approving Bid Award for Two (2) Truck Mounted Dump Body’s for Wastewater Division with Matt Friend Truck Equipment, Inc. of Hastings, Nebraska in an Amount of \$62,900.00.

#2006-46 – Approving Bid Award for the Lease of Two (2) Dump Trucks for Wastewater Division with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$20,630.40.

#2006-47 – Approving Bid Award for the Lease of an Aerated Static Pile Compost Pilot Testing Unit for Wastewater Division with CH2M Hill of Englewood, Colorado in an Amount of \$13,696.00.

#2006-48 – Approving Bid Award for Trucking of Sewage Sludge at Wastewater Division with Hooker Bros. Sand and Gravel, Inc. of Grand Island, Nebraska in an Amount of \$9.00 per ton.

#2006-49 – Approving Bid Award for Landfilling of Sewage Sludge at Wastewater Division with Loup Central Landfill Association of Elba, Nebraska in an Amount of \$28.00 per ton and Butler County Landfill, Inc., of David City, Nebraska in an Amount of \$24,75 per ton.

#2006-50 – Approving Certificate of Compliance with the Nebraska Department of Roads for Maintenance Agreement No. 12; Calendar Year 2005.

#2006-51 – Approving Maintenance Agreement No. 12 with the Nebraska Department of Roads.

#2006-52 – Approving Designating Gardner Denver Blower Division of Peachtree City, Georgia as the Sole Source Provider for Repairs to the Lamson Model 1857 Blower at the Wastewater Division in an Amount of \$66.00 per hour for repair work conducted at the manufacturer’s facility and \$105.00 per hour for work performed at Grand Island WWTP.

#2006-53 – Approving Application for Edward Byrne Memorial Justice Assistance Grant (JAG) 2006.

#2006-54 – Approving Bid Award for Portable Defibrillator-Multi-Parameter Monitor with Medtronic Emergency Response Systems of Redmond, Washington in an Amount of \$17,620.15.

#2006-55 – Approving Letter of Intent with Qwest for Phone Lines for New Fire Station #1.

RESOLUTIONS:

#2006-56 – Approving Request of Douglas & Sherri Luth dba Gas Island II, 2012 N. Webb Road for a Class “B” Liquor License. City Administrator Gary Greer questioned Mr. Luth with regards

to the violation received on January 19, 2006 and spoke of concerns regarding training. Mr. Luth agreed to a mandatory training.

Motion by Whitesides, second by Hornady to approve Resolution #2006-56 with the stipulation that the on site manager undergo manager training. Upon roll call vote, all voted aye. Motion adopted.

#2006-57 – Approving One & Six Year Street Improvement Program. Discussion was held with regards to the Hike/Bike Trail costs and maintenance. A temporary traffic signal was discussed at Capital Avenue and Diers Avenue along with left and right turn lanes. Mentioned was an entrance sign on South Locust.

Motion by Walker, second by Hornady to approve Resolution #2006-57. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Hornady, second by Haase to approve the Claims for the period of January 25, 2006 through February 14, 2006, for a total amount of \$3,778,012.15. Motion adopted unanimously. Councilmember Pielstick abstained from claim #118745.

Motion by Hornady, second by Haase to approve the following Claims for the Library Expansion for the period of January 25, 2006 through February 14, 2006:

#20 \$155,841.51

Motion adopted unanimously.

Mayor Vavricek commented on the first City Administrator's Monthly Report for January 2006 which was given to each councilmember. Mentioned was that this report was on the City's web site.

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

RaNae Edwards
City Clerk