



City of Grand Island

Tuesday, June 13, 2006

Council Session

Item G2

Approving Minutes of May 23, 2006 City Council Regular Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 23, 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 May 23, 2006. Notice of the meeting was given in *The Grand Island Independent* on May 17, 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, Cornelius, Hornady, Walker, and Haase. Councilmember Pauly was absent. The following City Officials were present: City Clerk RaNae Edwards, Finance Director David Springer, Public Works Director Steve Riehle, and Interim Attorney Dale Shotkoski.

INVOCATION was given by Pastor Allen Runyon, Grand Island Family Church, 2304 Macron Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek commented on the severe weather and the procedures to follow if a warning was issued. Also mentioned was the budget process taking place, reminding the council to let staff know if they had any suggestions.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Tourism Recognition Month" May 2006. Mayor Vavricek proclaimed the month of May 15-21, 2006 as "Tourism Recognition Month". Rene' Seifert, Trish Beam, Mike Swanson, Liz Gerberding, Tony Schultz, and Ray O'Connor were present.

PUBLIC HEARINGS:

Public Hearing on Request of Verizon Wireless for Conditional Use Permit for a 150' Telecommunications Tower Located at 13th Street and Highway 281. Craig Lewis, Building Department Director reported that Scott Goble representing Verizon Wireless had requested a Conditional Use Permit to allow for the construction of a 150' monopole telecommunications tower located at 13th Street and Highway 281. Staff recommendation was to deny the request as the application was not submitted as prescribed in the City Code and that the proposal would not protect residential areas and land uses from the potential adverse impact of the telecommunications tower. Ray O'Connor, 611 Fleetwood Road and Scott Goble representative from Verizon Wireless spoke in support. No further public testimony was heard.

Public Hearing on Changes to Chapter 36 of the Grand Island City Code ME-Manufacturing Estates Zone, in Reference to Installation of Liquid Propane Storage Tank and Accessory Wholesale Propane Sales Chad Nabity, Regional Planning Director reported that the proposed

changes were requested by Bosselman Energy, Inc. of Grand Island to allow propane distribution in an ME Zone. Ken Caldwell, 3715 E. Seedling Mile Road spoke in support. No further public testimony was heard.

Public Hearing on Changes to Chapter 36 of the Grand Island City Code TA-Transitional Agriculture Zone, in Reference to Landscaping Contractor Business with Onsite Retail. Chad Nabity, Regional Planning Director reported that the proposed changes were requested by Jason Harb of Harb's Landscaping of Grand Island to allow landscaping contractor business with onsite retail in a TA Zone. 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:

- #9044 - Consideration of Amending Chapter 8 of the Grand Island City Code Relative to Building Codes
- #9045 – Consideration of Amending Chapter 17 of the Grand Island City Code Relative to Garbage, Refuse, Waste, and Weeds
- #9046 – Consideration of Amending Chapter 29 of the Grand Island City Code Relative to Restaurants and Food Service
- #9057 – Consideration of Amending Chapter 36 of the Grand Island City Code Relative to Zoning

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.

Dale Shotkoski, Interim City Attorney explained the changes to the Grand Island City Code recommended in Ordinances #9044, #9045, and #9046. Chad Nabity, Regional Planning Director stated Ordinance #9057 related to the Public Hearing held earlier.

Motion by Pielstick, second by Whitesides to approve Ordinances #9044, #9045, #9046 and #9047.

City Clerk: Ordinances #9044, #9045, #9046 and #9047 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 #9044, #9045, #9046 and #9047 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 #9044, #9045, #9046 and #9047 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Cornelius, second by Hornady to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 9, 2006 City Council Regular Meeting.

Approving Re-Appointment of Duane Burns to the Civil Service Commission.

Approving Appointments of Dianne Miller, Tom Brown, and Robert Niemann to the Interjurisdictional Planning Commission.

#2006-156 – Approving Confidentiality Agreement with Charter Communications Regarding Cable Franchise Issues.

#2006-157 – Approving Agreement with Grand Island Youth Baseball, Inc. for Little League Baseball Program.

#2006-158 – Approving Certificate of Final Completion with Environmental Direct, Inc. of Grand Island, Nebraska for Asbestos Abatement and Building Demolition at CAAP.

#2006-159 – Approving Renewal of Farm Leases for 2006 with: Jiff Johnson, Mike Lilienthal, Ken Clausen, Larry Knuth, Jack Webb, Mike Peters, Gerald Bremer, Phillip Quaring, Robert Nunnenkamp, and Matt Tureck.

#2006-160 - Approving Renewal of Lease Agreement – 2nd Lease Addendum with State of Nebraska Department of Administrative Services for One-Stop Workforce Development Center.

#2006-161 – Approving Amendment to the Platte River Well Field River Channel Flow Analysis Agreement with U.S. Geological Survey Division and the Central Platte Natural Resources District.

#2006-162 – Approving Bid Award for One (1) Used Dump Truck for Waste Water Division with Nebraska Peterbilt of Grand Island, Nebraska in an Amount of \$42,000.00.

#2006-163 – Approving Bid Award for One (1) Self-Propelled Sewer Cleaning Easement Machine for Waste Water Division with Elliott Equipment Co. of Grimes, Iowa in an Amount of \$35,804.00.

#2006-164 – Approving Continuation of Sanitary Sewer NO. 521, Lot 9; Westwood Park Second Subdivision.

#2006-165 – Approving Extension of Bid Prices with The Diamond Engineering Company of Grand Island, Nebraska for the Lease of Two (2) Dump Trucks; Waste Water Division at a Cost of \$675.00 per week and \$1.28 per mile.

#2006-166 – Approving Services Agreement with PropertyBureau, Inc.

#2006-167 – Approving Agreement for Consulting Services for Quality Assurance Inspections and Testing for Law Enforcement Center with Olsson Associates of Grand Island, Nebraska in an Amount not to exceed \$40,000.00.

#2006-168 – Approving Adoption of the Prevention of Spread of Communicable Disease, Illness, or Poisoning Policy.

#2006-169 – Approving Letter of Intent with Qwest for Phone Lines for the New Law Enforcement Center.

#2006-170 – Approving Change Order No. 1 with Tri Valley Builders, Inc. of Grand Island, Nebraska for a Decrease of \$123,621.00 and a Revised Contract Amount of \$2,331,879.00.

#2006-171 – Approving Bid Award for Medical Physical Fitness Testing with Internal Medical Associates of Grand Island, Nebraska in an Amount of \$24,628.00.

REQUESTS AND REFERRALS:

Approving Request from Verizon Wireless for a Conditional Use Permit for a 150' Telecommunications Tower Located at 13th Street and Highway 281. Craig Lewis, Building Department Director reported this item related to the Public Hearing held earlier. Discussion was held concerning other towers in the area.

Motion by Nickerson, second by Gilbert to approve the request from Verizon Wireless for a Conditional Use Permit for a 150' Telecommunications Tower located at 13th Street and Highway 281. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Annexation of Property Located at 502 East Capital Avenue (North of Capital Avenue and East of Burlington Northern Railroad) and Refer to the regional Planning Commission. Chad Nabity, Regional Planning Director reported that a request had been made to annex the property located at 502 East Capital Avenue. The owners of the property were anticipating development of the property and wanted it in the corporate limits of the city. Mr. Nabity stated the first step in an annexation process is to refer to the Regional Planning Commission.

Discussion was held concerning properties along Capital Avenue which were not within the city limits, cost of sewer and water.

Motion by Pielstick, second by Hornady to refer this request to the Regional Planning Commission. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2006-172 – Approving Letter of Support for Essential Air Service (EAS) to the Department of Transportation (DOT). Mike Olson, Central Nebraska Regional Airport Executive Director reported that over the last few weeks the Central Nebraska Regional Airport Board had conducted several public meetings to seek input from citizens and businesses concerning air service. The Department of Transportation was accepting recommendations until May 25, 2006 to award a two-year contract for Essential Air Service. Eleven proposals from four airlines were submitted. It was recommended by the Airport Authority Board to accept Big Sky Airlines of Billings, Montana proposal which would provide five (5) weekly round trip nonstop flights to Denver and thirteen (13) weekly roundtrip nonstop flights to Kansas City, Missouri.

Discussion was held concerning connections in Kansas City and air fares.

Motion by Whitesides, second by Pielstick to approve Resolution #2006-172. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Haase to approve the Claims for the period of May 10, 2006 through May 23, 2006, for a total amount of \$2,922,205.63. Motion adopted unanimously. Councilmember Pielstick abstained from claim #126751 and Councilmember Hornady abstained from claim #127563.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

RaNae Edwards
City Clerk