



City of Grand Island

Tuesday, May 08, 2007

Council Session

Item G2

Approving Minutes of April 24, 2007 City Council Regular Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 24, 2007

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 April 24, 2007. Notice of the meeting was given in *The Grand Island Independent* on April 18, 2007.

Mayor Margaret Hornady called the meeting to order at 7:00 p.m. The following City Council members were present: Councilmember's Cornelius, Nickerson, Gericke, Brown, Gilbert, and Meyer. Councilmember's Haase, Walker, and Whitesides were absent. The following City Officials were present: City Clerk RaNae Edwards, City Attorney Dale Shotkoski, Finance Director David Springer, and Public Works Director Steve Riehle.

INVOCATION was given by Pastor Todd Bowen, Grace Covenant Church, 418 West 12th Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady acknowledged Community Youth Council members Malorie Meier and Megan Bombeck. Mayor Hornady announced that this was the last meeting for Councilmember Carole Cornelius and thanked her for her service on the City Council. Councilmember Cornelius thanked the residents of the City of Grand Island for the privilege of serving on the council.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Arbor Day" April 27, 2007. Mayor Hornady proclaimed April 27, 2007 as "Arbor Day". Steve Paustian, Parks and Recreation Director was present to receive the proclamation.

Proclamation "Tourism Recognition Month" May 2007. Mayor Hornady proclaimed the month of May 2007 as "Tourism Recognition Month". Renee Seifert was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request of Casey's Retail Company dba Casey's General Store #2707, 806 North Eddy Street for a Class "B" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from Casey's Retail Company dba Casey's General Store #2707, 806 North Eddy Street 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 April 2, 2007; notice to the general public of date, time, and place of hearing published on April 14, 2007; notice to the applicant of date, time, and place of hearing mailed on April 2, 2007; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request of Casey's Retail Company dba Casey's General Store #2737, 1814 North Eddy Street for a Class "B" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from Casey's Retail Company dba Casey's General Store #2737, 1814 North Eddy Street 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 April 2, 2007; notice to the general public of date, time, and place of hearing published on April 14, 2007; notice to the applicant of date, time, and place of hearing mailed on April 2, 2007; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request of Don Kruse dba Jackrabbit Run Golf Course, 2800 North Shady Bend Road for a Class "A" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from Don Kruse dba Jackrabbit Run Golf Course, 2800 North Shady Bend Road for a Class "A" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 5, 2007; notice to the general public of date, time, and place of hearing published on April 14, 2007; notice to the applicant of date, time, and place of hearing mailed on April 5, 2007; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Tax Increment Financing for Procon Handicapped Housing Development. Chad Nabity, Regional Planning Director reported that Procon Development LLC had applied for tax increment financing for the development of 20 handicap accessible apartments on the south side of Capital Avenue east and west of Geddes Street. Procon had submitted a redevelopment proposal and had been approved by the Community Redevelopment Authority and the Regional Planning Commission. Approval was recommended. No public testimony was heard.

Public Hearing on Change of Zoning for Land Located at 1822 and 1824 East 7th Street from M-2 Heavy Manufacturing to R-4 High Density Residential. Chad Nabity, Regional Planning Director reported that property located east of Skypark Road and north of 7th Street at 1822 and 1824 East 7th Street containing approximately 1.357 acres. The owner was proposing a change of zoning from M-2 Heavy Manufacturing to R-4 High Density Residential. No public testimony was heard.

Public Hearing on Change of Zoning for Land Located at 4106 West Stolley Park Road from LLR – Large Lot Residential to B-2 General Business. Chad Nabity, Regional Planning Director reported that Chief Industries, owner of property located at 4106 West Stolley Park Road just west of U.S. Highway 30 and north of Stolley Park Road had submitted an application for a change of zoning from LLR – Large Lot Residential to B-2 General Business for the purpose of building corporate offices. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located Along the North Line of Outfall Ditch 30B, Northeast of the Wastewater Treatment Plant (Midland Ag Services, Inc.). Gary Mader, Utilities Director reported that acquisition of a utility easement located along the north side of Outfall Ditch 30B, northeast of the Wastewater Treatment Plant was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to construct a three phase overhead feeder along the north bank of the outfall ditch. This line would become a feeder from Substation E which was

located at Museum drive, north of the outfall ditch, to the three phase line that currently exists along Shady Bend Road. No public testimony was heard.

Public Hearing on Amendment to Community Development Block Grant 03-HO-404. Marsha Kaslon, Community Development Administrator reported that the Nebraska Department of Economic Development (DED) performed a monitoring visit in December of 2006 and had one finding regarding the Reuse of Program Income. The amendment to the grant would include the Reuse of Program Income. No public testimony was heard.

ORDINANCES:

#9115 – Consideration of Change of Zoning for Land Located at 1822 and 1824 East 7th Street from M-2 Heavy Manufacturing to R-4 High Density Residential

#9116 – Consideration of Change of Zoning for Land Located at 4106 West Stolley Park Road from LLR – Large Lot Residential to B-2 General Business

Chad Nabity, Regional Planning Director reported Ordinances #9115 and #9116 related to the aforementioned Public Hearings. Discussion was held on Ordinance #9116 concerning city services, which were available and traffic on Stolley Park Road.

Motion by Gilbert, second by Meyer to approve Ordinances #9115 and #9116 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

#9117 – Consideration of Amending Chapter 18 of the Grand Island City Code Relative to Gas

#9118 – Consideration of Amending Chapter 26 of the Grand Island City Code Relative to Plumbing

Craig Lewis, Building Department Director reported that Ordinances #9117 and #9118 would adopt the 2006 Uniform Mechanical Code and 2006 Uniform Plumbing Code.

Motion by Gilbert, second by Brown to approve Ordinances #9117 and #9118 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA: Consent Agenda item G-11 was removed from the agenda at the request of the Mayor and item G-16 was pulled for further discussion. Motion by Gericke, second by Gilbert to approve the Consent Agenda excluding items G-11 and G-16. Upon roll call vote, all voted aye. Motion adopted.

Approving Appointment of Roger McShannon, Mark Tracy, and Barbara Clinch to the Business Improvement District No. 5 Board.

Approving Minutes of April 10, 2007 City Council Regular Meeting.

Approving Minutes of April 17, 2007 City Council Study Session.

Approving Request of Tina Krings, 1005 Village Green Drive #4, Norfolk, Nebraska for Liquor Manager Designation for Casey's General Stores #1768, #2727, #2732, and #2742.

Approving Request of Susan McAfee, 1863 7th Avenue, Dannebrog, Nebraska for Liquor Manager Designation for Pump & Pantry #6, 3355 Stolley Park Road and Pump & Pantry #8, 2028 North Broadwell Avenue.

#2007-89 – Approving Tax Increment Financing for Procon Handicapped Housing Development.

#2007-90 – Approving Agreement for Consulting Services for Tier II Emission Rate Testing at the Solid Waste Landfill with Aquaterra Environmental Solutions, Inc. of Omaha, Nebraska in an Amount of \$16,054.00.

#2007-91 – Approving Acquisition of Utility Easement Located Along the North Line of Outfall Ditch 30B, Northeast of the Wastewater Treatment Plant (Midland Ag Services, Inc.)

#2007-92 – Approving Amendment to the 2006/2007 Fee Schedule.

#2007-93 – Approving Renewal of Leases at the Cornhusker Army Ammunition Plant for Storage Buildings with Dominion Construction, \$2,500.00/yr.; Jerry Harders, \$750.00/yr.; and Nebraska State Patrol, \$500.00/yr.

#2007-94 – Approving Bid Award for Vehicle Exhaust Removal System with Air Cleaning Tech, Inc. of Bonner Springs, Kansas in an Amount of \$47,550.00. This item was removed from the agenda at the request of the Mayor.

#2007-95 – Approving Bid Award for Breathing Air System Compressor with Midwest Breathing Air, L.L.C. of Wapello, Iowa in an Amount of \$36,149.16.

#2007-96 – Approving Bid Award for Handicap Ramp Project No. 2007-1 with Galvan Construction, Inc. of Grand Island, Nebraska in an Amount of \$89,308.78.

#2007-97 – Approving Amendment to Agreement for Engineering Consulting Services for the Widening of Capital Avenue with Olsson Associates, Grand Island, Nebraska.

#2007-98 – Approving Amendment to Community Development Block Grant 03-HO-404.

#2007-99 – Approving Informal and Formal Negotiations with Charter Communications Relative to the Cable Franchise Agreement. Dale Shotkoski, City Attorney gave an update on what has occurred so far in the negotiations with Charter Communications and what the next steps would be. Explained were the differences between informal and formal negotiations.

Motion by Gilbert, second by Brown to approve Resolution #2007-99. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTION:

#2007-100 – Consideration of Request from Casey's Retail Company dba Casey's General Store #2707, 806 North Eddy Street for a Class "B" Liquor License and Liquor Manager Designation

for Tina Krings, 1005 Village Green Drive #4, Norfolk, Nebraska. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Gilbert, second by Cornelius to approve Resolution #2007-100. Upon roll call vote, all voted aye. Motion adopted.

#2007-101 – Consideration of Request from Casey’s Retail Company dba Casey’s General Store #2737, 1814 North Eddy Street for a Class “B” Liquor License and Liquor Manager Designation for Tina Krings, 1005 Village Green Drive #4, Norfolk, Nebraska. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Gilbert, second by Cornelius to approve Resolution #2007-101. Upon roll call vote, all voted aye. Motion adopted.

#2007-102 – Consideration of Request from Don Kruse dba Jackrabbbit Run Golf Course, 2800 North Shady Bend Road for a Class “A” Liquor License. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Gilbert, second by Cornelius to approve Resolution #2007-102. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Cornelius, second by Nickerson to approve the Claims for the period of April 11, 2007 through April 24, 2007, for a total amount of \$3,891,651.35. Motion adopted unanimously.

Motion by Cornelius, second by Nickerson to approve the following Claim for the Library Expansion for the period of April 11, 2007 through April 24, 2007:

#67 \$3,575.00

Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 7:55 p.m.

RaNae Edwards
City Clerk