



# **City of Grand Island**

**Tuesday, May 13, 2008**

**Council Session**

## **Item G2**

**Approving Minutes of April 22, 2008 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 22, 2008

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 22, 2008. Notice of the meeting was given in *The Grand Island Independent* on April 16, 2008.

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

INVOCATION was given by Pastor Craig Niemeier, Zion Lutheran Church, Worms, Nebraska followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady mentioned City Administrator Jeff Pederson would a few minutes late. Mayor introduced Community Youth Council Members Jeff Seim and Megan Bombeck.

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Tourism Recognition Month", May 2008. Mayor Hornady proclaimed the month of May, 2008 as "Tourism Recognition Month". Tricia Beem and Liz Gerberding with the Convention Visitors Bureau were present to receive the proclamation and updated the Mayor and Council on activities throughout the year.

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

#2008-BE-1 – Consideration of Determining Benefits for Water Main District No. 455 – Parkview Area. Gary Mader, Utilities Director reported that the City Council in its' capacity as the Board of Equalization was required to determine the benefits for Water Main District No. 455 – Parkview Area.

Motion by Nickerson, second by Zapata to approve Resolution #2008-BE-1. Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request from A. Meier, Inc. dba Bandits, 1016 N. Diers Avenue, Suite 118 for an Addition to Class "C-63264" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from A. Meier, Inc. dba Bandits, 1016 N. Diers Avenue, Suite 118

for an addition to Class “C-63264” 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 8, 2008; notice to the general public of date, time, and place of hearing published on April 12, 2008; notice to the applicant of date, time, and place of hearing mailed on April 8, 2008; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 4040 Gold Core Drive (ASAP Real Estate, LLC). Gary Mader, Utilities Director reported that a utility easement was needed at 4040 Gold Core Drive in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to place underground high voltage cable and a pad-mounted transformer to provide the new ASAP building with electrical power. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1814 N. Eddy Street – Five-Points (Casey’s General Store). Gary Mader, Utilities Director reported that a utility easement was needed at 1814 N. Eddy Street (Broadwell Avenue and Eddy Street – Five Points) in order to have access to install, upgrade, maintain, and repair power appurtenances, including a water main. The easement would be used to allow public access and ownership of the water main to be relocated for the expansion of Casey’s Retail Store. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 3620 Old Potash Highway (Brian and Annette Levander). Gary Mader, Utilities Director reported that a utility easement was needed at 3620 Old Potash Highway in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to place high voltage cable and a pad-mounted transformer to provide electric service to a new auto sales and service building. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement Located at 1404 Independence Avenue; Lot 12 of American Independence Subdivision (Gary E. and Mary G. Valasek). Steve Riehle, Public Works Director reported that a public utility easement was needed at 1404 Independence Avenue in order to allow construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement Located at 1410 Independence Avenue; Lot 11 of American Independence Subdivision (Gary E. and Mary G. Valasek). Steve Riehle, Public Works Director reported that a public utility easement was needed at 1410 Independence Avenue in order to allow construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement. Staff recommended approval. No public testimony was heard.

Public Hearing on Amendment to Chapter 36-70 of the Grand Island City Code Relative to Automobile Body Repair by Conditional Use Permit in the B3-Heavy Business Zone. Chad Nabity, Regional Planning Director reported that Rick Johnson an owner of property located in the B3 Heavy Business Zone requested amending Chapter 36-70 of the Grand Island City Code

to allow automobile body repair as a conditional use to the B3 Zoning District. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

- #9164 – Consideration of Assessments for Water Main District No. 455 – Parkview Area
- #9165 – Consideration of Conveyance of Property Located at 415 East 9<sup>th</sup> Street
- #9166 – Consideration of Amendment to Chapter 36-70 of the Grand Island City Code Relative to Automobile Body Repair by Conditional Use Permit in the B3 – Heavy Business Zone
- #9167 – Consideration of Exceptions to Chapter 27 of the Grand Island City Code Regarding Fuel Purchase and Delivery for the Fleet Services Division of the Public Works Department

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 Gericke second the motion. Upon roll call vote, all voted aye. Motion adopted.

Ordinances #9164 and #9166 related to the aforementioned Public Hearings.

City Administrator Jeff Pederson was present at 7:25 p.m.

Joni Kuzma, Community Development Administrator reported Ordinance #9165 was a City owned building and property located at 415 East 9<sup>th</sup> Street. Sealed bids were received after declaring the property as surplus. Habitat for Humanity submitted the highest bid to purchase the property for \$5,000.00 along with timeline and plan for the property.

Steve Riehle, Public Works Director reported that Ordinance #9167 would allow exceptions to Chapter 27 of the Grand Island City Code regarding purchasing and delivery of fuel for the Fleet Services Division of the Public Works Department.

Motion by Meyer, second by Gilbert to approve Ordinances #9164, #9165, #9166 and #9167.

City Clerk: Ordinances #9164, #9165, #9166 and #9167 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 #9164, #9165, #9166 and #9167 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 Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9164, #9165, #9166 and #9167 are declared to be lawfully adopted upon publication as required by law.

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

Receipt of Official Documents – Pawnbroker’s Official Bonds for Bronx Pawn, 386 North Pine Street; G.I. Loan Shop, 1004 West Second Street; and Wayne’s Pawn Shop, 203 West Third Street.

Approving Minutes of April 8, 2008 City Council Regular Meeting.

Approving Minutes of April 8, 2008 City Council Study Session.

#2008-110 – Approving Acquisition of Utility Easement Located at 4040 Gold Core Drive (ASAP Real Estate, LLC).

#2008-111 – Approving Acquisition of Utility Easement Located at 1814 North Eddy Street (Casey’s General Store).

#2008-112 – Approving Acquisition of Utility Easement Located at 3620 Old Potash Highway (Brian D. and Annette R. Levander).

#2008-113 – Approving Contract for 2008-PGS-P-1 – Area Paving at Platte Generating Station with Castle Construction, Inc. of Columbus, Nebraska in an Amount of \$43,967.59.

#2008-114 – Approving Acquisition of Public Utility Easement Located at 1404 Independence Avenue; Lot 12 of American Independence Subdivision (Gary E. and Mary G. Valasek).

#2008-115 – Approving Acquisition of Public Utility Easement Located at 1410 Independence Avenue; Lot 11 of American Independence Subdivision (Gary E. and Mary G. Valasek).

#2008-116 – Approving Bid Award for 47,000 GVW Dump Truck for Streets Division of the Public Works Department with Nebraska Truck Center, Inc. of Grand Island, Nebraska in an Amount of \$81,794.00.

#2008-117 – Approving Confidentiality and Nondisclosure Agreements with Omaha Public Power District (OPPD) and Nebraska Public Power District (NPPD).

#2008-118 – Approving Bid Award for Furnishing WAS Holding Tank Diffusers, Project 2008-WWTP-1 for the Waste Water Division of the Public Works Department with SSI-Aeration, Inc. of Poughkeepsie, New York in an Amount of \$56,700.00.

#2008-119 – Approving Bid Award for Installation of WAS Holding Tank Diffusers, Project 2008-WWTP-1 for the Waste Water Division of the Public Works Department with Industrial Process Technology, Inc. of Mitchell, South Dakota in an Amount of \$46,268.00.

RESOLUTIONS:

#2008-120 – Consideration of Request from A. Meier, Inc. dba Bandits, 1016 N. Diers Avenue, Suite #118 for an Addition to Class “C-63264” Liquor License. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing. Discussion was held concerning the boundary line and a 5’ fence.

Motion by Meyer, second by Ramsey to approve Resolution #2008-120 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2008-121 – Consideration of Approving Letter of Support for Essential Air Service (EAS) to the Department of Transportation (DOT). Mike Olson, Executive Director with the Central Nebraska Regional Airport reported that the current carrier, Mesa Airlines filed a “Notice of Termination of Service” on January 16, 2008. The DOT asked for bids from air carriers from the various EAS communities for the continuation of air service. The Central Nebraska Regional Airport received bids from two airlines: Great Lakes Aviation and Hawaii Island Air. It was recommended by the Airport Authority Board to accept Hawaii Island Air of Honolulu, Hawaii proposal which would provide two (2) daily round trip nonstop flights to Kansas City, Missouri. Mr. Olson presented a PowerPoint outlining the process of choosing the new airline.

Discussion was held on the name of airline and airports using this and other airlines.

Motion by Carney, second by Meyer to approve Resolution #2008-121. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Nickerson, second by Ramsey to approve the Claims for the period of April 9, 2008 through April 22, 2008, for a total amount of \$2,576,950.15. Motion adopted unanimously.

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

RaNae Edwards  
City Clerk