



City of Grand Island

Tuesday, November 26, 2002

Joint Mtg/Council Session

Item G2

Approving Minutes of November 12, 2002 City Council Regular Meeting

The Minutes of November 12, 2002 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 12, 2002

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 12, 2002. Notice of the meeting was given in the Grand Island Independent on November 6, 2002.

Mayor Ken Gnadt called the meeting to order at 7:05 p.m. The following members were present: Councilmembers Pielstick, Seifert, Larson, Hornady, Whitesides, Haase, Murray, Walker, and Sorensen. Councilmemeber Ward was absent. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Assistant City Attorney Dale Shotkoski, Public Works Director Steve Riehle and Finance Director David Springer.

PLEDGE OF ALLEGIANCE was said followed by a spiritual musical number presented by Maria Lozoya.

RESERVE TIME TO SPEAK ON AGENDA ITEMS: Four individuals reserved time to speak on agenda items.

PRESENTATIONS AND PROCLAMATIONS:

"It's About Kids!" Presentations by Megan Bartlett and Lindsey Mustion. Youth Leadership Tomorrow, "Its About Kids!" assets were presented by Megan Bartlett and Lindsey Mustion.

Proclamation "Homeless Awareness Week", November 10-16, 2002. Mayor Gnadt proclaimed November 10-16, 2002 as "Homeless Awareness Week" and encouraged citizens to recognize and support the efforts of homeless shelters..

Proclamation "American Education Week" November 17-23, 2002. Mayor Gnadt proclaimed November 17-23, 2002 as "American Education Week" and encouraged citizens to observe this week by supporting our public schools, its young people and education employees. Glenda Fraiser and two students were present for the presentation.

Proclamation "National Children's Book Week" November 18-24, 2002. Mayor Gnadt proclaimed November 18-24, 2002 as "National Children's Book Week" and encouraged citizens to "book time" at the public library and join in the celebration. Luris Calero from the Library was present to receive the proclamation.

Proclamation "Grand Island, The City of Kindness". Mayor Gnadt proclaimed Grand Island as "The City of Kindness" and encouraged citizens to adopt the philosophy of kindness to others in their daily lives. Gloria Wolbach and several A.O.K. Lady's were present for the presentation.

Proclamation “Adoption Month” November 2002. Mayor Gnadt proclaimed the month of November, 2002 as “Adoption Month”.

Proclamation “National Philanthropy Day” November 14, 2002. Mayor Gnadt proclaimed November 14, 2002 as “National Philanthropy Day”.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Easement for Bike Trail in Lot 9, Sussex Place Subdivision Near Westridge Middle School. Steve Riehle, Public Works Director, reported that in conjunction with the acquisition of Right of Way for the extension of Independence Avenue, it was appropriate to acquire easement for future installation of the Shoemaker Bike Trail. This easement would allow the Shoemaker Bike Trail to be connected to trails that would be installed with the extension of Independence south to 13th Street. No public testimony was heard.

Public Hearing on Acquisition of Public Right of Way for the Extension of Independence Avenue. Steve Riehle, Public Works Director, reported that City Council approved a contract for engineering services for the extension of Independence Avenue at their June 11, 2002 City Council meeting. Right of Way must be acquired for the road as the construction plans were in the development stage. Property owners would be contacted to negotiate the purchase of the Right of Way after Council approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement in Lot 16, Block 14, Scarff’s Addition to West Lawn, Located at 2322 18th Street. (Robert & Loucille Riessland) Steve Riehle, Public Works Director, reported that the house built on Lot 16 runs north and south. The owners would like to resubdivide so a second home could be built on a north /south orientation. The easement was needed to provide sanitary sewer access for both properties. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement in Lot 37, Bosselman Second Subdivision, Located at 2938 Diers Avenue. (Elizabeth Bosselman) Steve Riehle, Public Works Director, reported that the owners of Lot 37, Bosselman Second Subdivision were planning to resubdivide lots. The original plans for the sanitary sewer in the area showed a Public Utility Easement on the lot for sanitary sewer. After researching the area, City staff had found no evidence that an easement was acquired to accommodate the sewer. It was appropriate to remedy the oversight. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement in Lot 1, Bosselman Third Subdivision, Located at 2946, 2952, and 2960 Diers Avenue. (Elizabeth Bosselman) Steve Riehle, Public Works Director, reported that the owners of Lot 1, Bosselman Third Subdivision were planning to resubdivide lots. The original plans for the sanitary sewer in the area showed a Public Utility Easement on the lot for sanitary sewer. After researching the area, City staff had found no evidence that an easement was acquired to accommodate the sewer. It was appropriate to remedy the oversight. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1704 West 3rd Street. (Ace Hardware) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 1704 West 3rd Street was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to relocate an overhead power line to facilitate the new addition to the existing Ace Hardware building. No public testimony was heard.

Public Hearing on Acquisition of a Utility Easement Located at 911 Diers Avenue. (Home Depot) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 911 Diers Avenue, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate underground cables and a pad mounted transformer to serve electricity to the new Home Depot store. No public testimony was heard.

Public Hearing to Amend the future Land Use Map for the City of Grand Island for Lots 21-25 Grand Island Industrial Park West Subdivision. Chad Nabity, Regional Planning Director, reported that adoption of an amendment to the Future Land Use Map for the City of Grand Island for lots 21-25 Grand Island Industrial Park West Subdivision from Manufacturing to Low to Medium Density Residential was required. The Regional Planning Commission approved this request unanimously, following a public hearing, at their November 6, 2002 meeting. No public testimony was heard.

Public Hearing on Changes to the Grand Island Zoning Map. Chad Nabity, Regional Planning Director, reported that Virgil Eihusen, as the owner requested a change of zoning for property consisting of lots 21-25 Grand Island Industrial Park West Subdivision. This application proposed to change the zoning from M1 Light Manufacturing to R1 Suburban Residential. The Regional Planning Commission at their regular meeting, following a public hearing, held November 6, 2002 unanimously voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map. No public testimony was heard.

ORDINANCES:

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

- #8779 - Consideration of Assessments for Street Improvement District #1240, Grand West Third Subdivision
- #8780 – Consideration of Establishing Snow Routes in Annexed Areas
- #8781 – Consideration of Vacating Easements in Lots 21, 22, 23, 24, and 25, Grand Island Industrial Park West
- #8782 – Consideration of Changing Zoning from M1 Light Manufacturing to R1 Suburban Residential for Lots 21-25 Grand Island Industrial Park West Subdivision, Located West of North Road and South of Trust Street

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 their first reading and then upon final

passage and call for a roll call vote on each reading and then upon final passage. Councilmember Walker seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

Mayor: Is there any one in the audience interested in these ordinances? No public testimony was heard.

City Clerk: Ordinances #8779, #8780, #8781, and #8782 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: Ordinance #8779, #8780, #8781, and #8782 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: By reason of the roll call votes on first reading and then upon final passage, Ordinances #8779, #8780, #8781, and #8782 are declared to be lawfully passed and adopted upon publication as required by law.

CONSENT AGENDA: Councilmember Seifert requested item G-24 be removed from the Consent Agenda. Councilmember Pielstick requested item G-23 be removed from the Consent Agenda. Motion by Pielstick, second by Hornady, carried unanimously to approve the Consent Agenda.

Receipt of Official Document – Civil Service Minutes of October 11, 2002.

Approving Minutes of October 22, 2002 City Council Regular Meeting.

#2002-331 – Approving Acquisition of Easement for Bike Trail in Lot 9, Sussex Place Subdivision Near Westridge Middle School.

#2002-332 – Approving Acquisition of Public Right of Way for the Extension of Independence Avenue.

#2002-340 – Approving Acquisition of Public Utility Easement in Lot 16, Block 14, Scraff's Addition to West Lawn, Located at 2322 West 18th Street. (Robert & Loucille Riessland)

#2002-341 – Approving Acquisition of Public Utility Easement in Lot 37, Bosselman Second Subdivision, Located at 2938 Diers Avenue. (Elizabeth Bosselman)

#2002-342 – Approving Acquisition of Public Utility Easement in Lot 1, Bosselman Third Subdivision, Located at 2946, 2952, and 2960 Diers Avenue. (Elizabeth Bosselman)

#2002-343 – Approving Acquisition of Utility Easement Located at 1704 West 3rd Street. (Ace Hardware)

#2002-329 – Approving Acquisition of Utility Easement Located at 911 Allen Drive. (Home Depot)

#2002-344 – Approving Certificate of Final Completion for Painting and Sandblasting at Island Oasis Water Park with HEG Painting of Cherokee, Iowa.

#2002-345 – Approving Bid Award for Stolley park Arboretum Design with Clark Enersen Partners of Lincoln, Nebraska in an Amount not to Exceed \$20,000.00.

#2002-346 – Approving Purchase of New Truck for Utilities Department for Engineering Division through State Contract No. CA-5868A with Husker Automotive Group, Inc. of Lincoln, Nebraska in an Amount of \$20,911.77.

#2002-347 – Approving Bid Award for Grand Island Power Plant Security System for Platte Generating Station and Burdick Station with Electronic Contracting, Inc. of Lincoln, Nebraska in an Amount of \$128,100.00.

#2002-348 – Approving Bid Award for Sanitary Sewer Project 2002-S-4 Sewer Modifications near Capital Avenue and Oak Street with The Diamond Engineering Company, Inc. of Grand Island, Nebraska in an Amount of \$102,441.23.

#2002-349 – Approving Designation of a Handicap Parking Stall on the North Side of First Street East of Wheeler Avenue.

#2002-350 – Approving Agreement with Olsson Associates, Grand Island, Nebraska for Business Improvement District #4 for Professional Engineering and Landscape Architecture Services in an Amount of \$156,866.00.

#2002-351 – Approving Change Order #1 with Galvan Construction for Shoemaker Hike/Bike Trail for an Increase of \$3,570.50 and an Revised Contract Amount of \$278,061.50.

#2002-352 – Approving Certificate of Final Completion for Engineering Services for Shoemaker Hike/Bike Trail with Olsson Associates of Grand Island, Nebraska.

#2002-353 – Approving Certificate of Final Completion for Construction for Shoemaker Hike/Bike Trail with Galvan Construction of Grand Island, Nebraska.

#2002-354 – Approving Bid Award for Golf Cars for Jack Rabbit Run Golf Course with Nebraska Golf & Turf of Lincoln, Nebraska in an Amount of \$63,400.00 including Trade-in.

#2002-355 – Approving Change Order #1 for Precipitator Duct/Inlet Modifications for Platte Generating Station with The Industrial Company of Grand Island, Nebraska for an Increase of \$66,545.00 and a Revised Contract Amount of \$339,395.00.

#2002-356 – Approving Renewal of Interlocal Agreement with Hall County Relative to Juvenile Accountability Program.

#2002-359 – Approving Change to the Comprehensive Plan and Future Land Use Map from Manufacturing to Low to Medium Density Residential for Lots 21-25 Grand Island Industrial Park West Subdivision, Located West of North Road and South Trust Street.

#2002-357 – Approving Bid Award for Lawn Care, Mowing, Irrigation and Maintenance, BID #3 Area, South Locust Street with Cloudburst Lawn and Sprinkler of Grand Island, Nebraska in an Amount of \$43,846.00. Motion by Pielstick, second by Whitesides to approve Resolution #2002-357. Councilmember Pielstick stated concerns about having the same party do all the work when their bid was higher than the others. Cindy Johnson, Community Projects Director explained that the BID #3 Board was interested in having only one company do all the work. Ms. Johnson explained the difference in the bids and that overall, Cloudburst Lawn and Sprinkler was the low bidder.

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

#2002-358 – Approving Bid Award for Sanitary Sewer District #506, Lillie Drive with Ke-Beck Company of Kearney, Nebraska in an Amount of \$16,020.25. Motion was made by Hornady, second by Whitesides to approve Resolution #2002-358. Councilmember Seifert questioned staff's concerns with the recommendation of awarding this bid to Ke-Beck. Steve Riehle, Public Works Director stated that the low bidder had been in business only 3 or 4 years. After visiting with references he had concerns with this bid award.

Councilmember Larson stated that the low bidder was not always the best bid and would be voting no. Councilmember Hornady and Whitesides withdrew their motion and second.

Motion was made by Councilmember Larson, second by Seifert that the bid award for Sanitary Sewer District #506 be awarded to The Diamond Engineering Company of Grand Island. Upon roll call vote, all voted aye. Motion was adopted.

REQUESTS AND REFERRALS:

Request of Elrod-Woolworth Company, Inc. to Amend Subdivision Agreement for Lot 2, Hamilton-Kinman Subdivision by Eliminating Requirement to Connect to Public Water and Sanitary Sewer. Steve Riehle, Public Works Director, reported that Homer Elrod, President of the Elrod-Woolworth Company, Inc. had requested that the City allow an amendment to the Hamilton-Kinman Subdivision. The company would like to use the area as a retail sales lot and install a sales office. They asked that Council allow them to use the lot for this purpose without hooking to City water and sewer main.

Motion was made by Councilmember Larson, second by Walker to deny the request of Elrod Woolworth Co.

Homer Elrod, 4215 Husker Highway spoke in support of the request. Mr. Elrod stated that if a Tee was put to his property line, he would hook up to it. Lewis Kent, 624 East Meves Avenue wanted to see the sanitary sewer put in right.

Councilmember Hornady asked about tearing up Webb Road. Steve Riehle, Public Works Director stated a small portion would be tore up to put in the sanitary sewer. Councilmember Larson asked what the cost would be to put in a Tee at this location. Mr. Riehle stated around \$10,000. Councilmember Pielstick voiced concerns of giving a temporary service, when she felt we should do it right the first time. Councilmember Walker asked if the City should have put the Tee in years ago. Mr. Riehle stated "yes".

Councilmember Larson amended his motion to the effect that the City would put in a Tee at the City's expense and extend the service to the property line. Councilmember Walker agreed to the amendment. Upon roll call vote, all voted aye. Motion adopted.

Request to Donate Wooden Glider and Push Lawn Mower to Stuhr Museum. Motion was made by Councilmember Whitesides, second by Hornady, to approve this request. Motion carried unanimously.

Receiving Recommendation from the Community Redevelopment Authority Relative to Redevelopment of Former City Hall. John Brownell, 4309 Quail Lane, Chairman of the CRA Committee, reported that last spring, the City Council requested assistance from the CRA with redevelopment efforts of the former City Hall and, as a result, the CRA marketed and solicited proposals from interested developers.

Two entities expressed an interest in the redevelopment project and both were interviewed by the Former City Hall Redevelopment Selection Committee. After the interviews, the Selection Committee forwarded both proposals to the CRA and, at the same time, requested additional information from both entities as a next step in the selection process and that this additional information had been received.

The CRA reviewed both proposals and had forwarded the proposal submitted by ProCon. Procon is a partnership of Rick Johnson, K.C. Hehnke, and Russ Giesenhagen of Grand Island. Although Procon was a new partnership, the principals were well versed in the construction field in Grand Island and central Nebraska, with over 60 years of combined experience. The group had experience in historic property renovation, including the Yancey Hotel, Francis Villas and the York State Bank in York. Procon proposed to redevelop the former City Hall into an office complex. Their proposal was to purchase the building for \$1,001. Project costs were anticipated to be \$1,940,000. Financing sources were as follows: Principal Investment \$1,280,000 City \$275,000 (investment of what would otherwise be expended for demolition if building not redeveloped) CRA Façade Development Program \$150,000 (over 3 years) Tax Increment Financing \$232,800 (estimated)

Procon proposed to immediately begin redevelopment of the property, with an emphasis on the exterior this winter. This could occur as soon as the asbestos was removed from the property. Procon was also requesting that the CRA act as an intermediary in order to facilitate leasing with other government agencies. Procon had determined there was sufficient parking in the proximate area to serve their proposed needs.

Bruce Schreiner, representing ProCon, stressed to the CRA that the ProCon offer was not contingent upon acquisition of other properties or other funding sources, the redevelopment could collectively be accomplished by the community, and the proposal allowed for a fairly rapid schedule for redevelopment of the property. The Community Redevelopment Authority was unanimous in its support of the proposal by ProCon (Authority member Barry Sandstrom abstained from the vote). The CRA committed \$150,000 in façade development funds over three years with the understanding that the developers would be pursuing tax increment finance assistance also.

A lengthy discussion was had concerning property taxes, increment financing, demolition expenses, contaminants, and current budget requirements. David Springer, Finance Director stated that \$200,000 had been budgeted for this year and the cost of the asbestos removal was taken out of last years budget.

Bruce Schreiner, 2535 Carleton Avenue, Jim Cannon, 3121 Brentwood Circle, and Tom O'Neill, 804 West Stolley Park spoke in support. Lewis Kent, 624 East Meves Avenue questioned the cost.

Motion was made by Councilmember Whitesides, second by Seifert, to approve the request of the Community Redevelopment Authority relative to Redevelopment of Former City Hall. Upon roll call vote, Councilmembers Seifert, Larson, Hornady, Whitesides, Haase, Murray, Walker and Sorensen voted aye. Councilmember Pielstick voted no. Motion was adopted.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Haase, carried unanimously to approve the Claims for the period of October 23, 2002 through November 12, 2002, for a total amount of \$4,432,913.50.

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk