



City of Grand Island

Tuesday, November 12, 2002
Speical Mtg/Council Session

Item G2

Approving Minutes of October 22, 2002 City Council Regular Meeting

*The Minutes of October 22, 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

October 22, 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 October 22, 2002. Notice of the meeting was given in the Grand Island Independent on October 16, 2002.

Council President Seifert called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Pielstick, Seifert, Hornady, Whitesides, Haase, Murray, and Walker. Mayor Gnadt and Councilmember Larson, Ward and Sorensen were 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 the INVOCATION given by Reverend Joel Schroeder, St. Paul's Lutheran Church, 1515 South Harrison Street.

RESERVE TIME TO SPEAK ON AGENDA ITEMS: One individual reserved time to speak on an agenda item.

PRESENTATIONS AND PROCLAMATIONS:

"It's About Kids!" Presentations by Jill Rath and Michelle Schultz. Youth Leadership Tomorrow, "Its About Kids!" assets were presented by Jill Rath and Michelle Schultz.

Proclamation "Make a Difference Day", October 26, 2002. President Seifert mentioned that Mayor Gnadt had proclaimed October 26, 2002 as "Make a Difference Day" and encouraged citizens to raise public awareness and emphasized the importance of community service.

Proclamation "United Nations Day 2002" October 24, 2002. President Seifert mentioned that Mayor Gnadt had proclaimed October 24, 2002 as "United Nations Day 2002" and encouraged citizens to take due note of the observance.

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

#2002-BE-11 – Determining Benefits for Street Improvement District #1240, Grand West Third Subdivision. Motion by Pielstick, second by Hornady, carried unanimously to approve Resolution #2002-BE-11.

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

PUBLIC HEARINGS:

Public Hearing on Request of Wonderful Garden NE Inc. dba Wonderful Garden, 2623 South Locust Street, for Class "I" Liquor License. City Clerk RaNae Edwards, reported that Chan Chang Yim representing Wonderful Garden NE Inc., dba Wonderful Garden, 2623 South Locust Street, had submitted an application with the City Clerk's Office for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcoholic beverages on sale only within the corporate limits of the City. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 2, 2002; notice to applicant of date, time and place of hearing mailed on October 2, 2002; notice to the general public of date, time and place of hearing published on October 12, 2002; Chapter 4 of City Code and departmental reports as required by City Code. No public testimony was heard.

Public Hearing on Request of El Guitarron, Inc. dba El Guitarron, 413 West 4th Street for Change of Location and Name Change. City Clerk RaNae Edwards, reported that Nick Kallos, Sr., representing El Guitarron, Inc. dba El Guitarron, 413 West 4th Street, had submitted an application for a Change of Location to 106 & 108 East 3rd Street. Also submitted was a Name Change to El Paraiso Bar in conjunction with their Class "C-52848" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 8, 2002; notice to application of date, time and place of hearing mailed on October 8, 2002; notice to the general public of date, time and place of hearing published on October 12, 2002; Chapter 4 of City Code and departmental reports as required by City Code. No public testimony was heard.

Public Hearing on Request of Ronald Bodie dba Sebastians, 115 West 3rd Street, for Class "C" Liquor License. City Clerk RaNae Edwards, reported that Ronald Bodie dba Sebastians, 115 West 3rd Street, had submitted an application with the City Clerk's Office for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcoholic beverages on and off sale within the corporate limits of the City. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on October 8, 2002; notice to applicant of date, time and place of hearing mailed on October 8, 2002; notice to the general public of date, time and place of hearing published on October 12, 2002; Chapter 4 of City Code and departmental reports as required by City Code. Ton Wagoner, Attorney for Ronald Bodie spoke in support and was available for questions. No further public testimony was heard.

Public Hearing on Request of Nancy Stephens for a Conditional Use Permit for a Riding Academy Located at 908 East Capital Avenue. Craig Lewis, Building Department Director, reported that Nancy Stephens, 209 Sunny Drive, Doniphan, Nebraska, had submitted an application with the City Clerk's Office for a Conditional Use Permit to allow a riding academy located at 908 East Capital Avenue. The property was currently zoned TA, Transitional Agricultural and as such a Conditional Use Permit was required by City Code. No public testimony was heard.

Public Hearing on Acquisition of Property Located at 374 North Washington. Gary Mader, Utilities Director, reported that acquisition of property located at 374 North Washington, was required to meet the growing needs of the Utilities Department. Owners had agreed to sell the property to the City of Grand Island for a purchase price of \$29,500. 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 on Acquisition of Utility easement Located at 223 West 4th Street. (Edwin and Janice Sittler) Gary Mader, Utilities Director, reported that acquisition of a utility easement located at 223 West 4th Street, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate a pad mounted transformer for a new building. No public testimony was heard.

Public Hearing on Acquisition of Easement for Bike Trail in Lot 9, Sussex Place Subdivision Near Westridge Middle School. This item was pulled from the Agenda until November 12, 2002.

Public Hearing on Acquisition of Public Right of Way for the Extension of Independence Avenue. This item was pulled from the Agenda until November 12, 2002.

Public Hearing on Acquisition of Storm Sewer Easement Located in the Northeast Corner of the Normandy Apartment Property. Steve Paustian, Parks and Recreation Director, reported that acquisition of a storm sewer easement located at the northeast corner of the Normandy Apartments, south of Sucks Lake, was required in order to have access to install, upgrade, maintain, and repair said storm sewer. This easement would be used to aid in the storm water drainage associated with this area and would allow for the water to bypass Sucks Lake under most conditions. No public testimony was heard.

ORDINANCES:

The following Ordinances were pulled from the Agenda until November 12, 2002 City Council Meeting:

- #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

CONSENT AGENDA: Items G-11, G-13 and G-14 were pulled until the November 12, 2002 meeting. Items G-5 and G-18 were pulled from the Consent Agenda. Motion by Pielstick, second by Walker, carried unanimously to approve the Consent Agenda excluding items G-11, G-13, G-14, G-5, and G-18.

Receipt of Official Document – Civil Service Minutes of October 1, 2002.

Approving Minutes of October 8, 2002 City Council Regular Meeting.

Approving Request of Wonderful Garden NE Inc. dba Wonderful Garden, 2623 South Locust Street, for Class “T” Liquor License.

Approving Request of Chan Chang Yim, 1521 West Charles Street, #1, for Liquor Manager Designation for Wonderful Garden NE, Inc. dba Wonderful Garden, 2623 South Locust Street.

Approving Request of Ronald Bodie dba Sebastians, 115 West 3rd Street, for Class “C” Liquor License. Councilmember Whitesides abstained.

Approving Request of Craig Anderson, 1217 West 10th Street, for Liquor Manager Designation for Eagles Frat Order #378, 213 North Sycamore Street.

Approving Request of Greg Tatro, 312 West Koenig Street, for Liquor Manager Designation for Grand Island Pizza hut, Inc., 707 North Diers Avenue.

Approving Request of Nancy Stephens for a Conditional Use Permit for a Riding Academy Located at 908 East Capital Avenue.

#2002-328 – Approving Acquisition of Property at 374 North Washington.

#2002-329 – Approving Acquisition of Utility Easement Located at 911 Diers Avenue. (Home Depot) This item was pulled from the Agenda until November 12, 2002.

#2002-330 – Approving Acquisition of Utility Easement Located at 223 West 4th Street. (Edwin and Janice Sittler)

#2002-331 – Approving Acquisition of Easement for Bike Trail in Lot 9, Sussex Place Subdivision Near Westridge Middle School. This item was pulled from the Agenda until November 12, 2002.

#2002-332 – Approving Acquisition of Public Right of Way for the Extension of Independence Avenue. This item was pulled from the Agenda until November 12, 2002.

#2002-333 – Approving Acquisition of Storm Sewer Easement Located in the Northeast Corner of the Normandy Apartment Property.

#2002-334 – Approving Bid Award for Sidewalk District No. 1, 2002 with The Diamond Engineering Company, Inc. of Grand Island, Nebraska in an Amount of \$4,360.00.

#2002-335 – Approving Bid Award for a 2003 Model Track Loader for the Solid Waste Division, Public Works Department with Nebraska Machinery Company of Doniphan, Nebraska in an Amount of \$409,482.00.

#2002-337 – Approving Receipt of Library Grant from the Bill & Melinda Gates Foundation in an Amount up to \$16,045.00.

#2002-338 – Approving Interlocal Agreement with Hall County to Transfer Funds from the General Fund to the Enhanced 911 Fund.

#2002-339 – Approving Installation of Stop Signs on Charles Street at Cedar Street.

Approving Request of El Guitarron, Inc. dba El Guitarron, 413 West 4th Street for Change of Location to 106 & 108 East 3rd Street and Name Change to El Paraiso Bar. Discussion was had concerning the current Liquor License located at 106 & 108 East 3rd Street under Razy's Café and Lounge. Nick Kallos, 516 North Plum spoke in support.

Motion was made by Councilmember Pielstick to deny this request. Motion failed for lack of a second. Unanimously approved as part of the Consent Agenda.

#2002-336 – Approving Bid Award for Motor Grader for Street Division, Public Works Department on State Contract #CA-5747 with Spreitzer, Inc. of Omaha, Nebraska in an Amount of \$135,173.00. Steve Riehle, Public Works Director, explained the process of using the state bid. Pete Morgan, 318 North Wetzel Avenue representing Fairbanks New Holland requested that bids be taken and not to use the state contract giving local contractors an opportunity to bid on this equipment. Motion was made by Councilmember Whitesides to deny Resolution #2002-336, second by Seifert. Unanimously approved.

REQUESTS AND REFERRALS:

Request of Central Nebraska Humane Society to Use Stolley Park for the Month of December 2003 for a Christmas Lighting Display Fundraising Event. Steve Paustrian, Parks and Recreation Director, reported that the Central Nebraska Humane Society was interested in securing the use of the roadway area of Stolley Park, during the month of December 2003. The Society was interested in using the area for a fund raising activity that would include charging vehicles to drive through the park during the evening hours to view Christmas lights and displays provided by the Society.

Charla Miller, 1523 Stagecoach Road, representing the Central Nebraska Humane Society spoke in support. Discussion was held concerning the particulars of this event.

Motion was made by Councilmember Whitesides, second by Pielstick, to table this issue until a contract was in hand and the particulars worked out. Motion carried unanimously.

PAYMENT OF CLAIMS:

Motion by Whitesides, second by Haase, carried unanimously to approve the Claims for the period of October 9, 2002 through October 22, 2002, for a total amount of \$4,212,469.00.

ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk