



City of Grand Island

**Tuesday, July 08, 2003
Special Mtg/Council Session**

Item G1

Approving Minutes of June 24, 2003 City Council Regular Meeting

The Minutes of June 24, 2003 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

June 24, 2003

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 June 24, 2003. Notice of the meeting was given in the Grand Island Independent on June 18, 2003.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following members were present: Councilmembers Meyer, Whitesides, Pielstick, Larson, Nickerson, Seifert, Pauly, Hornady, Walker and Haase. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Public Works Director Steve Riehle, City Attorney Doug Walker and Finance Director David Springer.

PLEDGE OF ALLEGIANCE was said followed by the INVOCATION given by Youth Pastor Matt Whitman, Evangelical Free Church, 2609 South Blaine Street.

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

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Husker Nation Tour" June 26, 2003. Mayor Vavricek proclaimed June 26, 2003 as "Husker Nation Tour" day. Orv Qualsett was present to receive the proclamation

ELECTION OF CITY COUNCIL PRESIDENT:

City Clerk RaNae Edwards reported that the City Council was required to elect one Councilmember to the office of Council President to replace Councilmember Gale Larson who resigned at the June 17, 2003 City Council Meeting. The term would be through December 9, 2003. The Council President automatically assumes the duties of the Mayor in the event that the Mayor was absent or otherwise unable to fulfill his duties.

Councilmember Pauly nominated Mitch Nickerson. Councilmember Whitesides nominated Jackie Pielstick. Motion by Seifert, second by Hornady, carried unanimously to cease nominations.

City Clerk RaNae Edwards called for the first ballot. It was reported that Councilmember Pielstick had received 5 votes and Councilmember Nickerson had received 4 votes. Councilmember Jackie Pielstick was elected as City Council President.

ADJOURNED TO BOARD OF EQUALIZATION: Motion by Hornady, second by Walker, carried unanimously to adjourn to the Board of Equalization.

#2003-BE-5 – Determining Benefits for Water Main District 434T – Platte Valley Industrial Park 3rd Subdivision. Motion by Pielstick, second by Whitesides, to approve Resolution #2003-BE-5, carried unanimously.

#2003-BE-6 – Determining Benefits for Water Main District 437 – Platte Valley Industrial Park 3rd Subdivision. Motion by Pielstick, second by Whitesides, to approve Resolution #2003-BE-5, carried unanimously.

#2003-BE-7 – Determining Benefits for Water Main District 438T – Platte Valley Industrial Park 3rd Subdivision. Motion by Pielstick, second by Whitesides, to approve Resolution #2003-BE-5, carried unanimously.

#2003-BE-8 – Determining Benefits for Water Main District 439T – Platte Valley Industrial Park 3rd Division. Motion by Pielstick, second by Whitesides, to approve Resolution #2003-BE-5, carried unanimously.

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

PUBLIC HEARINGS:

Public Hearing Concerning Annexation of Property Being Platted as Secundino Subdivision. Chad Nabity, Regional Planning Director reported that the property was located north of Capital Avenue and west of Sky Park Road, in the E 1/2 SE 1/4 Section 4, Township 11, Range 9. The Regional Planning Commission at their meeting of June 4, 2003, voted to approve and recommend the city council approve this annexation. No public testimony was heard.

Public Hearing on Changes to the Grand Island Zoning Map for Land Proposed for Platting as American Independence Subdivision. Chad Nabity, Regional Planning Director reported that Gary Valasek, owner was requesting a change of zoning for property located in the SE 1/4 SW 1/4 Section 11, Township 11, Range 10, proposed for platting as American Independence Subdivision. This application proposed to change the zoning from TA Transitional Agricultural to R1 Suburban Residential. This change was in conformance with the Grand Island Comprehensive Plan. The Regional Planning Commission at their regular meeting held June 4, 2003 voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map. Gary Valasek, 4226 Lariat Lane spoke in support. Ray Harmon representing Third City Christian Church noted that if a paving district would go in, he felt the church property should not be assessed. No further public testimony was heard.

Public Hearing on Changes to the Grand Island Zoning Map for Property Being Platted as Richmond Third Subdivision. Chad Nabity, Regional Planning Director reported that Dave Albers, owner was requesting a change of zoning for property located along Diers Avenue south of Faidley Avenue and west of Highway 281, being platted as Richmond Third Subdivision. This

application proposed to change the zoning from TA Transitional Agricultural to B2 General Business. This change was in conformance with the Grand Island Comprehensive Plan. The Regional Planning Commission at their regular meeting held June 4, 2003 unanimously voted to approve and recommend the Grand Island City Council approve this amendment to the Grand Island Zoning Map. Dave Albers, owner was present to answer questions. No public testimony was heard.

Public Hearing on Request of Nathan Detroit's, Inc. dba Nathan Detroit's, 316 North Pine Street for Addition to Class "C-31274" Liquor License. City Clerk RaNae Edwards reported that Robert Mahood representing Nathan Detroit's, 316 North Pine Street had submitted an application with the City Clerk's Office for an addition to their Class "C-31274" Liquor License. The request was for an addition of sidewalk area approximately 110' x 9' on the east side of their building located at 316 North Pine Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 10, 2003; notice to applicant of date, time and place of hearing mailed on June 10, 2003; notice to the general public of date, time and place of hearing published on June 14, 2003; and Chapter 4 of the City Code. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 4604 Stoneridge Path. (Donald and Donna Willnerd) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 4604 Stoneridge Path, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate underground primary cable to be placed between two existing transformers. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 608 Ravenwood Drive. (Scott and Terri Bilsend) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 608 Ravenwood Drive, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate underground primary cable to be placed between two existing transformers. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 546 Ravenwood Court. (Steven and Jurita Anschutz) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 546 Ravenwood Court, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate underground primary cable to be placed between two existing transformers. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 607 Hermitage Place. (Jon and Vergeanne Baker) Gary Mader, Utilities Director reported that acquisition of a utility easement located at 607 Hermitage Place, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used to locate underground primary cable to be placed between two existing transformers. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 208 West 13th Street. (Trinity Lutheran Church) Gary Mader, Utilities Director reported that acquisition of a utility easement

located in the southeast corner of the parking lot located northeast of Trinity Lutheran School, 208 West 13th Street, was required in order to have access to install, upgrade, maintain, and repair power appurtenances. This easement would be used for a new transformer. No public testimony was heard.

ORDINANCES:

Ordinance #8818 was pulled from the Agenda indefinitely.

#8818 – Consideration of Creating Sanitary Sewer District #509, Lincoln Heights Subdivision, Lassonde Subdivision, and Unsubdivided Land in Section 10-11-9

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

#8815 – Consideration of Creation of Water Main District No. 441 – Faidley Avenue from Diers Avenue to Claude Road, Extended

#8816 – Consideration of Creation of Water Main District No. 442T – Faidley Avenue to Claude Road, Extended

#8817 – Consideration of Creating Street Improvement District #1249, Cannon Road from North Road to Mansfield Road

#8820 – Consideration of change of Land Use Designation for Property Proposed for Platting as American Independence Subdivision from TA Transitional Agricultural to R1 Suburban Residential

#8821 – Consideration of Change of Land Use Designation for Property being Platted as Richmond Third Subdivision from TA Transitional Agricultural to B2 General Business

#8822 – Consideration of Assessments for Water Main District No. 437, Platte Valley Industrial Park 3rd Subdivision

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 #8815, #8816, #8817, #8820, #8821, and #8822 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 #8815, #8816, #8817, #8820, #8821, and #8822 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 #8815, #8816, #8817, #8820, #8821, and #8822 are declared to be lawfully passed and adopted upon publication as required by law.

#8819 – Consideration of Annexation of Property Being Platted as Secundino Subdivision (First Reading)

Motion was made by Whitesides, to approve Ordinance #8819 on First Reading only, second by Pielstick. Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA: Consent agenda item G-26 was pulled for further discussion. Councilmember Pielstick noted correction to the June 10, 2003 minutes, Resolution #2003-154 that was not approved and pulled from the agenda. Motion by Seifert, second by Whitesides, carried unanimously to approve the Consent Agenda excluding item G-26.

Receipt of Official Document – Resignation Letter of Councilmember Gale Larson (Ward 2).

Receipt of Official Document – Community Redevelopment Authority Resolution No 48.

Approving Appointment of Mark Stelk and Brent Linder to Business Improvement District #2 Board.

Approving Minutes of June 10, 2003 City Council Regular Meeting. Councilmembers Pauly and Meyer abstained.

Approving Minutes of June 17, 2003 City Council Study Session. Councilmembers Haase, Seifert and Pauly abstained.

Approving Request of Nathan Detroit's, Inc. dba Nathan Detroit's, 316 North Pine Street for Addition to Class "C-31274" Liquor License.

Approving Preliminary Plat for American Independence Subdivision.

Approving Preliminary Plat for Richmond Third Subdivision.

#2003-154 – Approving Cooperative Service Field Agreement with the United States Department of Agriculture, Wildlife Services for Wildlife Damage Control in the Amount of \$2,500.00. Councilmember Meyer voted no.

#2003-172 – Approving Final Plat and Subdivision Agreement for Richmond Third Subdivision.

#2003-173 – Approving Acquisition of Utility Easement Located at 4604 Stoneridge Path. (Donald and Donna Willnerd)

#2003-174 – Approving Acquisition of Utility Easement Located at 608 Ravenwood Drive. (Scott and Terri Bilsend)

#2003-175 – Approving Acquisition of Utility Easement Located at 546 Ravenwood Court. (Steven and Jurita Anschutz)

#2003-176 – Approving Acquisition of Utility Easement Located at 607 Hermitage Place. (Jon and Vergeanne Baker)

#2003-177 – Approving Acquisition of Utility Easement Located at 208 West 13th Street. (Trinity Lutheran Church)

#2003-178 – Approving Connection fees for Water Main District No. 434T, Platte Valley Industrial Park 3rd Subdivision.

#2003-179 – Approving Connection Fees for Water Main District No. 438T, Platte Valley Industrial Park 3rd Subdivision.

#2003-180 – Approving Connection Fees for Water Main District No. 439T, Platte Valley Industrial Park 3rd Subdivision.

#2003-181 – Approving Bid Award for Well Field Wells #13-16 Enclosures with Steel Crafters of Grand Island, Nebraska in an Amount of \$49,770.00.

#2003-182 – Approving Contract for Medical Physical Fitness for the Fire Department with Internal Medical Associates of Grand Island, Nebraska in an Amount of \$21,759.00.

#2003-183 – Approving Interlocal Cooperation Agreement with Community Redevelopment Authority for Pedestrian Lighting Along South Locust Street Between Stolley Park Road and Fonner Park Road in the Amount of \$150,000.00.

#2003-184 – Approving Bid Award for Audit Services with LLP of Lincoln, Nebraska in an Amount of \$158,000.00 for Five Years of Audit Services of the Electric and Water Financial Statements for the Fiscal Years Ending September 30, 2003 through September 30, 2007.

#2003-185 – Approving License Agreement with Hall County Regarding Antenna Installation, Operation and Maintenance at the Platte Generating Station and Burdick Station.

#2003-186 – Approving Bid Award for 2003-D-1 Concrete Ditch Lining Between Allen Avenue and the Ditch South of Cannon Road with The Diamond Engineering Company of Grand Island in the Amount of \$30,485.20.

#2003-187 – Approving Amendment to Contract for Consulting Services Related to Remediation of Lead Impacted oil at the CAAP with Jacobson Helgoth Consultants, Inc. of Omaha, Nebraska in an Amount not to Exceed \$68,232.00.

#2003-189 – Approving Interlocal Agreement with Hall County Regarding Ambulance Services. Councilmember Pielstick questioned if the County had signed this agreement. They had not but were planning to.

#2003-188 – Approving User Fee Schedule for FY 2003-2004. Motion by Seifert, second by Whitesides to approve Resolution #2003-188 with the exception of raising the rates at the water park.

Discussion was had regarding the water park fees, expenses, comparable rates with other water parks, and this not being an enterprise fund. Steve Paustian, Parks and Recreation Director answered questions with regards to revenues and expenses.

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

RESOLUTIONS:

#2003-190 – Approving Bid Award for Credit Card Service Provider. David Springer, Finance Director reported that the decision was made to have Departmental credit cards. A request for proposals (RFP) was sent out to local banks and other credit card companies that expressed an interest in providing this service to The City of Grand Island. Six responses were received. One from a credit card company. One from Wells Fargo and four from banks that serve as a local provider for the ELAN credit card company. These banks were Equitable, USBanc, Heritage Bank, and Home Federal. The responses were scored and ELAN was the recommended choice to provide credit card services for the City. The recommended choice had four providers in Grand Island and there was no difference between the four providers. Since there was no discernable difference in the ELAN providers, the Finance Department deferred the selection of the credit card provider to Administration or Council.

Mr. Springer stated there would be approximately \$500 in start up costs. No annual fee was expected based on anticipated volume.

Motion was made by Pielstick, second by Whitesides, to approve Heritage Bank as the Credit Card Provider for the City of Grand Island. Upon roll call vote, all voted aye. Motion adopted.

Craig Moyer representing Heritage Bank was present.

#2003-191 – Approving Operation Agreement for Stolley park Lines with James A. Culver dba Chippewa Northwestern Railway Company. Steve Paustian, Parks and Recreation Director reported that a proposal to operate the Stolley Park train had been received from Jim Culver, President of Chippewa Northwestern Railroad Company of Lincoln, Nebraska. Mr. Culver was awarded the contract to rebuild the existing railroad line at the former zoo site. That project had been completed and the train track had been inspected and was ready for operation. Mr. Culver proposes to operate the line for the next seven months, to maintain and repair the train and passenger cars, to market and promote the attraction and to hire and train all staff.

Discussion was had concerning liability insurance, length of contract, and fees.

Motion by Whitesides, second by Seifert, to approve Resolution #2003-191. Upon roll call vote, all voted aye. Motion adopted.

#2003-192 – Approving Central Nebraska Air Service Development Statement. City Administrator Marlan Ferguson, reported that local citizens formed an Air Service Task Force to review the Air Service at the Central Nebraska Regional Airport. The Task Force had developed an Air Service Development Statement which was being adopted by Central Nebraska Communities and other entities.

Motion by Seifert, second by Whitesides, to approve Resolution #2003-192. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Seifert, second by Walker, carried unanimously to approve the Claims for the period of June 11, 2003 through June 24, 2003, for a total amount of \$2,207,893.39. Councilmember Pielstick abstained from claim #543053.

ADJOURN TO EXECUTIVE SESSION: Motion by Hornady, second by Walker, to adjourn to Executive Session for the purpose of discussing personnel issues at 8:10 p.m. Upon roll call voted, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Pielstick, second by Hornady, to return to Regular Session at 10:00 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk