



# City of Grand Island

Tuesday, March 22, 2016

Council Session

## Item G-1

### Approving Minutes of March 8, 2016 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

March 8, 2016

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 March 8, 2016. Notice of the meeting was given in *The Grand Island Independent* on March 2, 2016.

Mayor Jeremy L. Jensen called the meeting to order at 7:00 p.m. The following City Council members were present: Mitch Nickerson, Mark Stelk, Jeremy Jones, Chuck Haase, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. Councilmember Julie Hehnke was absent. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Finance Director Renae Griffiths, City Attorney Jerry Janulewicz, and Public Works Director John Collins.

Mayor Jensen introduced Community Youth Council member Sarah Sugita and board member Erin Blauhorn.

INVOCATION was given by Pastor Caroline Price-Gibson, First Presbyterian Church, 2103 West Anna Street followed by the PLEDGE OF ALLEGIANCE.

BOARD OF EQUALIZATION: Motion by Minton, second by Donaldson to adjourn to the Board of Equalization. Motion adopted.

#2016-BE-2 - Consideration of Determining Benefits for 2015 Weed/Nuisance Abatement Program. Assistant City Attorney Stacy Nonhof reported that City Code allowed for abating nuisances on properties. The City Council was asked to determine the benefits for nuisance abatement and the weed abatement program for 2015. Staff recommended approval. Discussion was held regarding the process and repeat offenders.

Motion by Donaldson, second by Stelk to approve Resolution #2016-BE-2. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Fitzke, second by Stelk to return to Regular Session. Motion adopted.

PUBLIC HEARINGS:

Public Hearing on Request from Heritage Hospitality, LLC dba Mainstay Suites, 3051 South Locust Street for a Class "I" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "I" Liquor License had been received from Heritage Hospitality, LLC dba Mainstay Suites, 3051 South Locust Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on February 20, 2016; notice to the general public of date, time, and place of hearing published on February 27, 2016; notice to the applicant of date, time, and place of hearing mailed on February 11, 2016; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and completion of a state approved alcohol server/seller training program. Staff

recommended approval. Ralph Bradley, 132 Ponderosa Drive, attorney for the applicant spoke in support. No further public testimony was heard.

Public Hearing on Request from Viaero Wireless for a Conditional Use Permit for a Wireless Telecommunication Tower located at 1801 Santa Anita Drive. Building Department Director Craig Lewis reported that Viaero Wireless had submitted an application for a Conditional Use Permit for a 75' monopole telecommunication tower located at 1801 Santa Anita Drive. Staff recommended approval. Chris Riha, 3560 Hillside Drive representing Viaero spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement at 2304 Memorial Park Road (Joan Kirkpatrick). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2304 Memorial Park Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The Utilities Department had an existing overhead power line along the southerly side of the Kirkpatrick property. The line was originally built in approximately 1951. At the time of its initial installation, no easement was acquired as it only severed the grantor's property. The power line needs to be rebuilt, upgraded and brought up to current design configuration. The easement would clear up the gap in access for operation and maintenance of the electrical infrastructure. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement at 3763 West Capital Avenue (TS12 Phase II, LLC). Public Works Director John Collins reported that an additional public utility easement was needed to accommodate public utilities for redevelopment of the property at 3763 West Capital Avenue. The easement would allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement. Staff recommended approval. No public testimony was heard.

#### ORDINANCES:

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

#9577 - Consideration of Determining Benefits for 2015 Weed/Nuisance Abatement Program

#9578 - Consideration of Amendments to Chapter 15 of the Grand Island City Code Relative to Electricity

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

#9577 - Consideration of Determining Benefits for 2015 Weed/Nuisance Abatement Program

Motion by Stelk, second by Haase to approve Ordinance #9577.

City Clerk: Ordinance #9577 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9577 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9577 is declared to be lawfully adopted upon publication as required by law.

#9578 - Consideration of Amendments to Chapter 15 of the Grand Island City Code Relative to Electricity

Utilities Director Tim Luchsinger reported that in review of Chapter 15, Electricity, of the City Code for recent required revisions, City staff came across inaccuracies due to changes over time and opted to conduct substantial edits that reflect current terminologies and organizational structure currently in place in the City. Also included was an addition of actual cost of air emission control reagents used by power plants to the calculation for the Power Cost Adjustment resulting in a rate increase of 1½ to 2%.

Discussion was held regarding fuel additives, air emissions, and fuel cost adjustments.

Motion by Haase, second by Paulick to approve Ordinance #9578.

City Clerk: Ordinance #9578 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9578 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9578 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-5 (Resolution #2016-42) was pulled for further discussion. Motion by Minton, second by Jones to approve the Consent Agenda excluding item G-5. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of February 23, 2016 City Council Regular Meeting.

#2016-39 - Approving Bid Award for Unit # 1686 - Truck Chassis with Service Crane Body & Tip Mounted Hydraulic Capstan - Underground Division with Dillon Ford of Ceresco, NE in an Amount of \$101,528.00.

#2016-40 - Approving Bid Award for Water Main Project 2015-W-10 - Citation Way & Gulf Stream Drive with The Diamond Engineering Company of Grand Island, NE in an Amount of \$221,965.04.

#2016-41 - Approving Bid Award for Transmission Line Work - Line 1093 with Watts Electric Company of Waverly, NE in an Amount of \$1,493,900.79.

#2016-42 - Approving Bid Award for Paving Project 2015-P-6 - Jefferson Street from 3rd Street to South Front Street with The Diamond Engineering Company of Grand Island, NE in an Amount of \$218,749.16. Comments were made regarding the positive work the Utilities Department was doing with this project.

Motion by Nickerson, second by Minton to approve Resolution #2016-42. Upon roll call vote, all voted aye.

#2016-43 - Approving Bid Award for Precipitator, Bottom Ash and Boiler Industrial Cleaning - Spring 2016 with Meylan Enterprises of Omaha, NE in an Amount of \$164,981.80.

#2016-44 - Approving Purchase of a One (1) Ton Truck with Utility Body (Unit #1679) for the Utilities Department, Underground Division from the State Contract #14330 OC with Sid Dillon of Ceresco, NE in an Amount of \$50,961.00.

#2016-45 - Approving Acquisition of Utility Easement - 2304 Memorial Park Road (Joan Kirkpatrick).

#2016-46 - Approving Purchase of 2017 Truck with 55 Foot Articulating Overcenter Aerial Device (Unit #1555) - Electric Overhead Division with Altec Industries, Inc. in an Amount of \$272,507.00.

#2016-47 - Approving Acquisition of Utility Easement at 3763 West Capital Avenue (TS12 Phase II, LLC).

#2016-48 - Approving Change Order No. 4 to the Contract with Van Kirk Brothers Contracting of Sutton, NE for Sanitary Sewer District No. 528 and No. 530T for an Increase of \$40,351.55 and a Revised Contract Amount of \$3,450,814.22.

#2016-49 - Approving Request from the YMCA for Permission to Use City Streets and State Highway for the 2016 June Jamboree Race.

#2016-50 - Approving Amendment No. 2 to Agreement for Engineering Consulting Services for Step 7 Detailed Site Assessment at the Former Grand Island Disposal Area with G.N. Kuhn Engineering, LLC of Omaha, NE for an Increase of a Maximum Amount of \$23,193.00 and a Revised Agreement Amount of \$114,593.00.

#2016-51 - Approving Purchase of a New Heated Rubberized Asphalt Crack Sealing Machine for the Street Division from Logan Contractors Supply of Omaha, NE in an Amount of \$35,677.00.

#2016-52 - Approving Change Order No. 6 for North Interceptor Phase II; Project No. 2013-S-4 with S.J. Louis Construction, Inc. of Rockville, MN for a Net Zero Cost Change.

#2016-53 - Approving Certificate of Final Completion and Scheduling the Board of Equalization for Sanitary Sewer District No. 535T, Ext of Sanitary Sewer to Serve Part Lot 1; Voss Subdivision, Lots 1 & 2 Windolph's Subdivision, and Part NW ¼ of Section 14, Township 11 N, Range 9 W with Merryman Excavation, Inc. of Woodstock, IL.

#2016-54 - Approving Certificate of Final Completion and Scheduling the Board of Equalization for Sanitary Sewer District No. 537T, Ext of Sanitary Sewer to Serve Lot One (1) and Lot Two (2), TLST Spiehs Subdivision and Part of the N Ten (10) Acres of the W Half of the NW Quarter(W1/2NW1/4) with S.J. Louis Construction, Inc. of Rockville, MN.

#2016-55 - Approving Request from Heritage Hospitality, LLC dba Mainstay Suites, 3051 South Locust Street for a Class "I" Liquor License and Liquor Manager Designation for Crystal Carr-Sherman, PO Box 266, Alda, NE.

#2016-56 - Approving Change Order #2 for The Chocolate Bar - Banquet Hall with Fox Construction of Grand Island, NE for no Increase in the Contract Amount.

REQUESTS AND REFERRALS:

Consideration of Approving Request from Viaero Wireless for a Conditional Use Permit for a Wireless Telecommunication Tower located at 1801 Santa Anita Drive. This item was related to the aforementioned Public Hearing. Discussion was held regarding the abandonment of telecommunication poles. Mr. Lewis stated it was addressed in City Code.

Motion by Haase, second by Stelk to approve the request from Viaero Wireless for a Conditional Use Permit for a Wireless Telecommunication Tower located at 1801 Santa Anita Drive. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Minton to approve the Claims for the period of February 24, 2016 through March 8, 2016 for a total amount of \$4,962,052.36. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 7:46 p.m.

RaNae Edwards  
City Clerk