



City of Grand Island

Tuesday, April 26, 2016

Council Session

Item G-1

Approving Minutes of April 12, 2016 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
April 12, 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 April 12, 2016. Notice of the meeting was given in *The Grand Island Independent* on April 6, 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, Chuck Haase, Julie Hehnke, Linna Dee Donaldson, Vaughn Minton, Roger Steele, and Mike Paulick. The following City Council members were absent: Jeremy Jones and Michelle Fitzke. The following City Officials were present: City Administrator Marlan Ferguson, Assistant to the City Administrator Nicki Stoltenberg, Finance Director Renae Griffiths, City Attorney Jerry Janulewicz, and Public Works Director John Collins.

Mayor Jensen introduced Community Youth Council members Melissa Cuellar and Reid Bednar.

INVOCATION was given by Reverend Trudy Kenyon-Anderson, First Faith United Methodist Church, 4190 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

Mayor Jensen acknowledged that City Clerk RaNae Edwards was absent and appointed Nick Stoltenberg as City Clerk Pro Tem for purposes of making a record of the proceedings of the City Council meeting.

Mayor Jensen reported that the following items were removed from the aforementioned published agenda at the request of the City Attorney:

#2016-BE-3 - Consideration of Determining Benefits for Sanitary Sewer District No. 535T, Extension of Sanitary Sewer to Serve Part Lot 1; Voss Subdivision, Lots 1 & 2 Windolph's Subdivision, and Part NW ¼ of Section 14-11-9

#2016-BE-4 - Consideration of Determining Benefits for Sanitary Sewer Dist. No. 537T, Extension of Sanitary Sewer to Serve Lots 1 & 2, TLST Spiels Subdivision & Part of the North Ten (10) Acres of the W Half of the NW Quarter (W1/2NW1/4) all In Section 10-11-9

Public Hearing on Request from La Mexicana, Inc. dba La Mexicana Market, 385 North Pine Street for a Class "D" Liquor License

#9580 - Consideration of Assessments for Sanitary Sewer District No. 535T, Extension of Sanitary Sewer to Serve Part Lot 1; Voss Subdivision, Lots 1 & 2 Windolph's Subdivision, and Part NW ¼ of Section 14-11-9 view: PDF
2.4 MB

#9581 - Consideration of Assessments for Sanitary Sewer District No. 537T, Extension of Sanitary Sewer to Serve Lot 1 & 2, TLST Spiels Subdivision and Part of the North Ten (10) Acres of the W Half of the NW Quarter (W1/2NW1/4) All In Section 10-11-9

#2016-90 - Approving the Request from La Mexicana, Inc. dba La Mexicana Market, 385 North Pine Street for a Class "D" Liquor License and Liquor Manager Designation for Veronica Alvarez, 609 S. Stuhr Road

PRESENTATIONS AND PROCLAMATIONS:

Proclamation "Child Abuse Prevention Month" April 2016. Mayor Jensen proclaimed the month of April 2016 as "Child Abuse Prevention Month". Yolanda Nuncio was present to receive the proclamation.

Proclamation "Sexual Assault Awareness Month" April 2016. Mayor Jensen proclaimed the month of April 2016 as "Sexual Assault Awareness Month". Lex Ann Roach was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Public Hearing on Request from Burtibang, LLC dba Royal Indian Cuisine, 3337 West State Street for a Class "C" Liquor License. Assistant to the City Administrator Nicki Stoltenberg reported that an application for a Class "C" Liquor License had been received from Burtiban, LLC dba Royal Indian Cuisine, 3337 West State Street. Ms. Stoltenberg presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 7, 2016; notice to the general public of date, time, and place of hearing published on April 2, 2016; notice to the applicant of date, time, and place of hearing mailed on March 7, 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. No public testimony was heard.

Public Hearing on Public Hearing on Request from Chloe Aguilar for a Conditional Use Permit for a Towing/Salvage Lot located at 4852 and 4820 East Capital Avenue. Building Department Director Craig Lewis reported that Chloe Aguilar was requesting a conditional use permit to allow for the construction and operation of a vehicle storage and salvage yard at 4820 & 4852 East Capital Avenue. The legal description of the property is lot 1 Landell Sub. and lot 1 Landell 2nd Sub., the lots are currently zoned M-2 Heavy Manufacturing and automobile wrecking and salvage yards are a listed conditional use within that zoning classification. This application was initiated by a request from the City to bring the existing Island Towing operation at 5018 S. Elk Drive into conformance with zoning regulations as it is not zoned for the continued storage of wrecked or junk vehicles. Staff recommended approval.

Jason Luebbe, 1032 N. Gunbarrel Road, Monte Stelk, 1375 N. Gunbarrel Road and Dan Lau, 2550 N. Gunbarrel Road spoke in opposition of the conditional use permit.

Chloe Aguilar, Island Towing, spoke in support of the conditional use permit. No further public testimony was heard.

Public Hearing on the Semi-Annual Report by the Grand Island Area Economic Development Corporation/Citizens Advisory Review Committee on the Economic Development Program Plan. Economic Development President Dave Taylor presented the report, which had been voted upon

to forward to the City Council for its review and acceptance at their March 3, 2016 meeting. Staff recommended approval of report.

Jeff Vinson, 1527 Stagecoach Road, Chair of the Citizens Advisory Review Committee, spoke in favor of the semi-annual report. 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:

#9582 - Consideration of Amending Chapter 23 of the Grand Island City Code Relative to the Occupation Tax Oversight Committee.

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 Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

City Attorney Jerry Janulewicz reported that the proposed ordinance would establish a five member oversight committee appointed by the mayor with council approval. The function of the committee would be to advise the public and city officials with regard to the city’s Food and Beverage Tax imposed upon persons and entities engaging in the business of providing food services, drinking places, or restaurants within the City of Grand Island, confirm that the Food and Beverage Tax revenues are accounted for in the designated special revenue funds and are being expended on eligible projects as provided by city ordinances.

Motion by Haase, seconded by Hehnke to approve Ordinance #9582 on first reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9582 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 #9582 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 #9582 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Resolutions G-11 (#2016-85) and G-13 (#2016-87) were pulled from the agenda for further discussion. Motion by Paulick, second by Steele to approve the Consent Agenda excluding items G-11 and G-13. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of March 22, 2016 City Council Regular Meeting.

#2016-76 - Approving the Request from Burtibang, LLC dba Royal Indian Cuisine, 3337 West State Street for a Class "C" Liquor License and Liquor Manager Designation for Lok Chhantyal, 1113 College Street.

#2016-77 - Approving Bid Award - Rogers Reservoir I Interior Painting with Allen Blasting & Coating, Inc., of Burlington, Iowa in the amount of \$292,813.00.

#2016-78 - Approving Purchase of a 2016 Ford F-150 for the Utilities Department, Water Division (#90) from the State Bid Contract #14365 OC with Anderson Auto Group of Lincoln, Nebraska in the amount of \$27,763.00.

#2016-79 - Approving Purchase of a 2016 Ford F-250 for the Utilities Department, Water Division (#924), from the State Bid Contract #14333 OC with Anderson Auto Group of Lincoln, Nebraska in the amount of \$28,401.00.

#2016-80 - Approving GeoComm 911 GIS Maintenance Contract Renewal with GeoComm GIS Maintenance Contract for services provided from May 1, 2016 to April 20, 2021 in the amount of \$35,962.00.

#2016-81 - Approving High Intensity Drug Trafficking Area (HIDTA) Grant Funding in the amount of \$54,992.00.

#2016-82 - Approving Amendment No. 1 to Agreement for Asset Management Implementation Assistance for the Grand Island Wastewater Division to Black & Veatch Corporation of Kansas City, Missouri in the amount of \$367,700.00.

#2016-83 - Approving Change Order No. 1 for Hall County SID No. 2 Sanitary Sewer Improvements – 2014 to Myers Construction, Inc. of Broken Bow, Nebraska in the amount of \$47,018.75.

#2016-84 - Approving Letter of Credit for Employer's Mutual Casualty Company (EMC) Insurance Reserve from Cornerstone Bank in the amount of \$800,000.

#2016-85 - Approving Letter of Credit for Southwest Power Pool, Inc. from Wells Fargo Bank in the amount of \$2,000,000.

Motion by Haase, second by Hehnke to approve. Upon roll call vote, all voted aye. Motion adopted.

#2016-86 - Approving Addendum #1 for Website Development with Vision Internet, Santa Monica, California in the amount of \$12,000.00.

#2016-87 – Approving Interlocal Agreement with Hall County for Public Transportation.

Gary Quandt, 609 W 14th Street, spoke on behalf of the Hall County Board of Supervisors.

Motion by Donaldson, second by Haase to approve. Upon roll call vote, all voted aye. Motion adopted.

#2016-88 - Approving Proposal Award for Professional Services for Geotechnical Evaluation of Downtown Parking Lots to Olsson Associates of Grand Island, Nebraska in the amount of \$38,900.00.

REQUESTS AND REFERRALS:

Consideration of Request from Chloe Aguilar for a Conditional Use Permit for a Towing/Salvage Lot located at 4852 and 4820 East Capital Avenue. Building Department Director Craig Lewis presented this item as it is related to the aforementioned Public Hearing.

Discussion was held between Council, Mr. Lewis regarding the possibility of placing conditions or restrictions to the permit. There was concern from neighboring property owners and from council regarding the possibility of contamination.

Motion by Donaldson, second by Minton to approve.

Motion by Haase, second by Nickerson to amend the motion to require vehicles be drained before entering the property. Upon roll call vote, Councilmembers Steele, Donaldson, Haase, Stelk, Nickerson and Mayor Jensen voted aye. Councilmembers Paulick, Minton, Hehnke voted no. Motion adopted.

Motion by Stelk, second by Haase to add a condition of only “storage”, not “salvage” to the motion. Upon roll call vote, Councilmembers Steele, Donaldson, Haase, Stelk, Nickerson and Mayor Jensen voted aye. Councilmembers Paulick, Minton, Hehnke voted no. Motion adopted.

Upon roll call vote on the main motion, Councilmembers Steele, Minton, Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

RESOLUTIONS:

#2016-89 - Consideration of Approving the Semi-Annual Report by the Grand Island Area Economic Development Corporation/Citizens Advisory Review Committee on the Economic Development Program Plan. This item is related to the aforementioned Public Hearing.

Motion by Stelk, second by Steele to approve Resolution #2016-89. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Hehnke to approve the claims for the period of March 23, 2016 through April 12, 2016 for a total amount of \$4,900,707.77. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:02 p.m.

Nicki Stoltenberg
City Clerk Pro Tem