



# **City of Grand Island**

**Tuesday, June 14, 2016**

**Council Session**

## **Item G-1**

**Approving Minutes of May 24, 2016 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
May 24, 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 May 24, 2016. Notice of the meeting was given in *The Grand Island Independent* on May 18, 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, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. 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.

INVOCATION was given by Pastor Dan Brenton, Evangelical Free Church, 2609 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

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

Mike McDermott, 1603 Gretchen Avenue, requested to speak about a topic that was not on the agenda.

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

#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 Works Director John Collins reported that the tap district for Sanitary Sewer District 537T had been completed. This district was combined with the North Interceptor Phase II work. Staff recommended approval.

Tim Speihs, 909 Capital Ave., requested to speak on this item.

Motion by Paulick, second by Minton to approve Resolution #2016-BE-4. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Paulick, second by Hehnke to return to Regular Session. Motion adopted.

PUBLIC HEARINGS:

Public Hearing on Request from Prairie Pride Brewing Company, LLC dba Prairie Pride Brewing Company, 115 East South Front Street, Suite 1 for a Class "LK" Liquor License. City

Clerk Pro Tem Nicki Stoltenberg reported that an application for a Class “LK” Liquor License had been received from Prairie Pride Brewing Company, LLC dba Prairie Pride Brewing Company, 115 East South Front Street, Suite 1. Ms. Stoltenberg presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 19, 2016; notice to the general public of date, time, and place of hearing published on May 14, 2016; notice to the applicant of date, time, and place of hearing mailed on April 19, 2016; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Amos Anson, 4234 Arizona Avenue, spoke in favor of this item.

Public Hearing on Request to Rezone Property located at 2530 and 2540 N. Webb Road from R4 – High Density Residential to B1 – Light Business (Darren and Celeste Bartunek). Regional Planning Director Chad Nabity reported that an application had been made by Darren and Celeste Bartunek to rezone property located at 2530 and 2540 N. Webb Road from R4 – High Density Residential to B1 – Light Business. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 1920 Sagewood Avenue (HC of Grand Island LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1920 Sagewood Avenue was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would provide for transformer and high voltage underground power lines for the new Heritage Senior Living Center’s health and care facility. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement in Section 22, Township 11 N, Range 9W - SE Corner of S Locust Street & State Fair Boulevard Intersection (Hall County Livestock Improvement Association). Public Works Director John Collins reported that acquisition of a utility easement located at the southeast corner of South Locust Street and the State Fair Boulevard intersection was needed in order to 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 ordinance numbered:

- #9586 - Consideration of Request to Rezone Property located at 2530 and 2540 N. Webb Road from R4 – High Density Residential to B1 – Light Business (Darren and Celeste Bartunek)
- #9587 – Consideration of Amending Salary Ordinance Relative to Non-Union Part-Time Community Service Officers
- #9588 – Consideration of Amending Chapter 23 Article VII of the Grand Island City Code Relative to the Food & Beverage Retailer Occupation Tax

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 this ordinance 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.

#9586 - Consideration of Request to Rezone Property located at 2530 and 2540 N. Webb Road from R4 – High Density Residential to B1 – Light Business (Darren and Celeste Bartunek)

Motion by Stelk, second by Fitzke to approve Ordinance #9586.

City Clerk Pro Tem: Ordinance #9586 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 Pro Tem: Ordinance #9586 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 #9586 is declared to be lawfully adopted upon publication as required by law.

#9587 – Consideration of Amending Salary Ordinance Relative to Non-Union Part-Time Community Service Officers

Human Resources Director Aaron Schmid reported that Ordinance #9587 would adjust the part time Community Service Officer classification to match the full time Community Service Officer classification pay range and would clarify part time, seasonal and temporary classifications.

Motion by Jones, second by Minton to approve Ordinance #9587.

City Clerk Pro Tem: Ordinance #9587 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 Pro Tem: Ordinance #9587 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 #9587 is declared to be lawfully adopted upon publication as required by law.

#9588 – Consideration of Amending Chapter 23 Article VII of the Grand Island City Code Relative to the Food & Beverage Retailer Occupation Tax

City Attorney Jerry Janulewicz reported that Ordinance #9588 would amend Chapter 23 by adding a new Article VII imposing the new occupation tax on retailers engaged in the sale of food and beverages. The new tax will be imposed at the rate of 1 ½% of the gross proceeds from the sale of food and beverages and will become effective July 1, 2016. Mr. Janulewicz reported

that there were a few corrections made and the final draft was presented this evening. The changes are specific to correcting a typo regarding retail location, deleting the administrative fee provision and correcting an inconsistency regarding 'gross proceeds' and 'gross receipts' to read 'proceeds with receipts.'

Councilmembers Nickerson and Paulick thanked Administration and staff for the removal of the administration fee as well as for the continued audit of the collections.

Mayor Jensen reminded the public of the Oversight Committee and that applications are due on June 20<sup>th</sup>.

Motion by Donaldson, second by Minton to approve Ordinance #9588.

City Clerk Pro Tem: Ordinance #9588 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 Pro Tem: Ordinance #9588 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 #9588 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-7 (Resolution #2016-124) was pulled for further discussion. Motion by Paulick, second by Stelk to approve the Consent Agenda excluding item G-7. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 10, 2016 City Council Regular Meeting.

Approving Minutes of May 17, 2016 City Council Study Session.

Approving Liquor Manager Designation for Stephanie Smith, 208 West 8th Street for Ruby Tuesday, 3429 West 13th Street.

#2016-121 - Approving Request from Prairie Pride Brewing Company, LLC dba Prairie Pride Brewing Company, 115 East South Front Street, Suite 1 for a Class "LK" Liquor License and Liquor Manager Designation for Phillip Cahoy, #83 Ponderosa Drive.

#2016-122 - Approving Acquisition of Utility Easement - 1920 Sagewood Avenue (HC of Grand Island LLC).

#2016-123 - Approving Certificate of Participant with the Public Power Generation Agency for Revenue Refunding Bonds, 2016, Series A.

#2016-125 - Approving Award of Proposal for Enterprise Environmental Resources Regulatory and Compliance System – 2016 with Linko Technology, Inc. of Wheat Ridge, CO in an Amount not to exceed \$63,565.00 and an Annual Maintenance and Support Amount of \$7,580.00.

#2016-126 - Approving Bid Award for South Locust Traffic Signal Relocation; Project No. 2016-TS-1 with Chief Construction Co. dba Heartland Electric Co. of Grand Island, NE in an Amount of \$50,004.70.

CONSENT AGENDA Item G-7:

#2016-124 - Approving Acquisition of Utility Easement in Section 22, Township 11 N, Range 9 - SE Corner of S Locust Street & State Fair Boulevard Intersection (Hall County Livestock Improvement Association).

Motion by Paulick, second by Minton to approve. Upon roll call vote, all voted aye. Motion adopted.

Councilmember Paulick asked for clarification regarding the signal serving as an events signal at State Fair Boulevard. John Collins confirmed it as such.

RESOLUTIONS:

#2016-100 - Consideration of Fees for Sanitary Sewer District No. 537T, Ext of Sanitary Sewer to Serve Lot 1 & Lot 2, TLST Spiehs Subdivision and Part of the N 10 Acres of the W Half of the NW Quarter (W1/2NW1/4) All In Section 10, Township 11N, Range 9W. This item was related to the aforementioned Public Hearing.

Motion by Minton, second by Hehnke to approve Resolution #2016-100. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Fitzke to approve the Claims for the period of May 11, 2016 through May 24, 2016 for a total amount of \$5,970,952.20. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Minton, second by Jones to adjourn to Executive Session at 7:47 p.m. for the purpose of a strategy session with respect to Labor Negotiations with the Fraternal Order of Police (FOP) #24. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Paulick, second by Minton to return to Regular Session at 8:15 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:15 p.m.

Nicki Stoltenberg  
City Clerk Pro Tem