



# City of Grand Island

Tuesday, September 13, 2016

Council Session

## Item G-1

### Approving Minutes of August 23, 2016 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 23, 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 August 23, 2016. Notice of the meeting was given in *The Grand Island Independent* on August 17, 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. Councilmembers Jeremy Jones and Michelle Fitzke were 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 Esdras Castaneda and board member Ramona Otto.

INVOCATION was given by Pastor Rene Lopez, Iglesia de Dios, 2325 West State Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Brian Sands, Street Foreman with the Public Works Department for 50 Years of Service with the City of Grand Island. Mayor Jensen recognized Public Works Street Foreman Brian Sands for his 50 years of service with the City. Presented to Mr. Sands was a plaque and certificate.

PUBLIC HEARINGS:

Public Hearing on Request from Simbert, LLC dba Peacock Lounge, 2430 N. Broadwell Avenue for a Class "C" Liquor License. This item was pulled from the agenda at the request of the applicant.

Public Hearing on Request to Rezone Property Proposed for Platting as Lots 1, 2 & 3 & Outlots 1 & 2 and half the Adjacent ROW of Prairie Commons Subdivision located So. of Husker Hwy & West of US Hwy 281 from TA – Transitional Agricultural to CD – Commercial Development (Prataria Ventures, LLC). Regional Planning Director Chad Nabity reported that an application had been received from Prataria Ventures, LLC to rezone land proposed for platting as Lots 1, 2 and 3 and Outlots 1 and 2 and half of the adjacent right-of-ways of the new Prairie Commons Subdivision from TA Transitional "Agricultural to CD Commercial Development. The property was located south of Husker Highway and west of U.S. Highway 281. This was the proposed site for a new hospital, medical office building and hotel with conference space. Staff recommended approval.

The following people spoke in support of this item and the next two items:

- D.J. Eihusen, 3942 West Highway 30
- Roger Bullington, 3935 Westgate Road
- Tom Huston, 233 South 13<sup>th</sup> Street, Lincoln, NE
- Ron Konecny, 9 Cannel Heights, Kearney, NE
- Cindy Johnson, Chamber of Commerce, 309 West 2<sup>nd</sup> Street
- Dave Taylor, Economic Development Corp., 123 North Locust Street
- Dr. Ryan Crouch, 541 Madero Drive

Brad Mellema, Convention & Visitors Bureau, 2424 South Locust Street spoke in a neutral position. No further public testimony was heard.

Public Hearing on Request to Rezone Property Proposed for Platting as Lots 4 & 5 and half of the Adjacent ROW of Prairie Commons Subdivision located So. of Husker Hwy and West of US Hwy 281 from TA – Transitional Ag to RO – Residential Office and Lots 6 & 7 and Outlot 4 to B2 - General Business. Regional Planning Director Chad Nabity reported that an application had been received from Prataria Ventures, LLC to rezone land proposed for platting as Lots 4 and 5 and half of the adjacent right-of-way of the new Prairie Commons Subdivision from TA Transitional Agricultural to RO Residential Office and Lots 6 and 7 and Outlot 4 to B2 – General Business. The property was located south of Husker Highway and west of U.S. Highway 281. This was the proposed site for a new hospital, medical office building and hotel with conference space. Staff recommended approval. Several people spoke, see list above. No further public testimony was heard.

Public Hearing on Redevelopment Plan Amendment for CRA Area 17 located South of Husker Highway and West of U.S. Highway 281 (currently platted as Ewoldt Subdivision) (Prataria Ventures, LLC). Regional Planning Director Chad Nabity reported that Prataria Ventures, LLC had submitted an application for Tax Increment Financing to aid in the redevelopment of property for the construction of a hospital, medical office building and hotel with attached conference space. This property was located at the southwest corner of Husker Highway and U.S. Highway 281. Staff recommended approval. Several people spoke, see list above. No further public testimony was heard.

Public Hearing on Redevelopment Plan Amendment for CRA Area 1 located at 210 N. Walnut Street (TW Ziller Properties). Regional Planning Director Chad Nabity reported that T. W. Ziller Properties, LLC, owner of the Federation of Labor Temple Building had submitted a proposed amendment to the redevelopment plan that would provide for renovation and redevelopment of property for residential uses located at 210 N. Walnut Street. Staff recommended approval. Tom Ziller, 324 West 18<sup>th</sup> Street and Cindy Johnson, Chamber of Commerce spoke in support. No further public testimony was heard.

Public Hearing on Redevelopment Plan Amendment for CRA Area 18 located North of Old U.S. Highway 30 and East of Industrial Lane (Lots 2 and 3 of Commercial Industrial Park Sixth Subdivision) (Middleton Properties II., LLC). Regional Planning Director Chad Nabity reported that Middleton Properties II, LLC owned property at 2716 West Old Highway 30 and had

submitted an application for Tax Increment Financing to aid in the construction of a new warehouse facility and renovation of the existing office space at that location. Staff recommended approval. Bruce Schreiner, 2535 Carleton Avenue and Cindy Johnson, Chamber of Commerce spoke in support. No further public testimony was heard.

Public Hearing on Proposed Fiscal Year 2016-2017 City of Grand Island and Community Redevelopment Authority (CRA) Budgets. Finance Director Renae Griffiths stated several meetings had been held to review the proposed FY2016-2017 budget. This was to open the public hearing with final action to be taken on September 13, 2016. 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:

#9597 - Consideration of Request to Rezone Property Proposed for Platting as Lots 1, 2 & 3 & Outlots 1 & 2 and half Adjacent ROW of Prairie Commons Subdivision located So. of Husker Hwy & West of US Hwy 281 from TA – Transitional Agricultural to CD – Commercial Development (Prataria Ventures, LLC)

#9598 - Consideration of Request to Rezone Property Proposed for Platting as Lots 4 & 5 and half Adjacent ROW of Prairie Commons Subdivision located So. of Husker Hwy and West of US Hwy 281 from TA – Transitional Ag to RO – Residential Office and Lots 6 & 7 and Outlot 4 to B2 - General Business

#9599 - Consideration of Approving Salary Ordinance

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.

#9597 - Consideration of Request to Rezone Property Proposed for Platting as Lots 1, 2 & 3 & Outlots 1 & 2 and half Adjacent ROW of Prairie Commons Subdivision located So. of Husker Hwy & West of US Hwy 281 from TA – Transitional Agricultural to CD – Commercial Development (Prataria Ventures, LLC)

#9598 - Consideration of Request to Rezone Property Proposed for Platting as Lots 4 & 5 and half Adjacent ROW of Prairie Commons Subdivision located So. of Husker Hwy and West of US Hwy 281 from TA – Transitional Ag to RO – Residential Office and Lots 6 & 7 and Outlot 4 to B2 - General Business

Councilmember Minton recused himself due to a conflict of interest.

Motion by Stelk, second by Donaldson to approve Ordinances #9597 and #9598.

City Clerk: Ordinances #9597 and #9598 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 #9597 and #9598 on second and final reading. All those in favor of the passage of these ordinances 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, Ordinances #9597 and #9598 are declared to be lawfully adopted upon publication as required by law.

#### #9599 - Consideration of Approving Salary Ordinance

Human Resources Director Aaron Schmid reported that a salary ordinance was presented each year as part of the budget process. Wage changes were for bargaining units according to their respective labor agreements and negotiated wages. The FOP labor agreement would be presented at a later date. Included were changes to non-union positions. Discussion was held regarding the description change of Assistant Utilities Director – Distribution to Assistant Utilities Director – Engineering and Business Operations.

Motion by Minton, second by Paulick to approve Ordinance #9599.

City Clerk: Ordinance #9599 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 #9599 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 #9599 is declared to be lawfully adopted upon publication as required by law.

#### #9600 - Consideration of Annexation of Property Proposed for Platting as Caldwell Subdivision an Addition to the City of Grand Island located at the South East Corner of Shady Bend Road and Seedling Mile Road (First Reading)

Regional Planning Director Chad Nabity reported that Kenneth and Pamela Caldwell, owners, had submitted Caldwell Subdivision as an Addition to the City of Grand Island. This was the first of three readings. Staff recommended approval.

Motion by Steele, second by Hehnke to approve Ordinance #9600 on first reading. Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA: Consent Agenda item G-14 (Resolution #2016-202) was pulled for further discussion. Motion by Paulick, second by Donaldson to approve the Consent Agenda excluding item G-14. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of August 9, 2016 City Council Regular Meeting.

Approving Minutes of August 16, 2016 City Council Study Session.

Approving Minutes of August 16, 2016 City Council Special Meeting.

#2016-192 - Approving Preliminary Plat and Final Plat and Subdivision Agreement for Prairie Commons Subdivision. It was noted that Prataria Ventures, LLC, owner, had submitted the Preliminary and Final Plat and Subdivision Agreement for Prairie Commons Subdivision located south of Husker Highway and west of US Highway 281 for the purpose of creating 10 lots consisting of 95.32 acres.

#2016-193 - Approving Final Plat and Subdivision Agreement for Northview Twelfth Subdivision. It was noted that Pinnacle Bank, owners, had submitted the Final Plat and Subdivision Agreement for Northview Twelfth Subdivision located south of Nebraska Highway 2 and west of North Road for the purpose of creating 1 lot consisting of 5.710 acres.

#2016-194 - Approving Supply and Delivery of Pebble Lime for the Platte Generating Station 2016 – 2018 with Pete Lien & Sons of Rapid City, South Dakota.

#2016-195 - Approving Supply and Delivery of Powdered Activated Carbon for the Platte Generating Station with Calgon Carbon Corporation of Moon Township, Pennsylvania.

#2016-196 - Approving Bid Award - Precipitator, Bottom Ash and Boiler Industrial Cleaning, Fall – 2016 with Meylan Enterprises, Inc. of Omaha, Nebraska in an Amount of \$133,636.80.

#2016-197 - Approving Police Service Contract with Hall County Housing Authority (HCHA) through September 30, 2018.

#2016-198 - Approving Interlocal Cooperative Agreement for School Resource Officers (SRO's) with the Grand Island Public Schools through September 30, 2020.

#2016-199 - Approving Award of Professional Engineering Consulting Services for Sanitary Sewer Collection System Rehabilitation – Various Locations with Alfred Benesch & Company of Lincoln, Nebraska in an Amount not-to-exceed \$45,861.82.

#2016-200 - Approving Bid Award of Yard Sprinkler Systems - Reconstruct; Project No. 2016-WWTP-2 at the Wastewater Treatment Plant with Tilley Sprinkler & Landscaping of Grand Island, Nebraska in an Amount of \$31,761.00.

#2016-201 - Approving Authorization for Urgent Sanitary Sewer Repair to Serve the Anderson Building at the Nebraska Veterans Home with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$29,846.64.

#2016-202 - Approving Certification of Final Completion for Pavement Lifting and Stabilization with Polyurethane Foam on South Locust Street from Lake Street to the Diversion Bridge with Thrasher, Inc. of LaVista, Nebraska. Public Works Director John Collins reported that this project had been completed. He answered questions regarding the process.

Motion by Nickerson, second by Hehnke to approve Resolution #2016-202. Upon roll call vote, all voted aye. Motion adopted.

#2016-203 - Approving Application for the Nebraska Public Transportation Assistance Program.

RESOLUTIONS:

#2016-204 - Consideration of Approving Request from Simbert, LLC dba Peacock Lounge, 2430 N. Broadwell Avenue for a Class "C" Liquor License and Liquor Manager Designation for Kristen Ackerman, 1118 West 8th Street. This item was pulled from the agenda at the request of the applicant.

#2016-205 - Consideration of Approving Redevelopment Plan Amendment for CRA Area 17 located South of Husker Highway and West of U.S. Highway 281 (currently platted as Ewoldt Subdivision) (Prataria Ventures, LLC). This item was related to the aforementioned Public Hearing. Councilmember Minton recused himself due to a conflict of interest.

Motion by Paulick, second by Hehnke to approve Resolution #2016-205.

Comments were made regarding a Blue Cross Blue Shield study that showed 50% of patients were leaving the area for medical services. Dr. Tom Werner stated there were 65 physicians supporting this project. Insurance coverage was mentioned as the reason patients were leaving the area. Dr. Warner answered questions regarding costs. He stated competition was good for the community. Mentioned was the success of the surgery center. Matt Rief representing Olsson Associates answered questions regarding drainage.

Councilmember Steele wanted an annual report and the dilapidated structures on the property removed. He stated \$29 million was too much and wanted to negotiate that amount down. Tom Huston, attorney for the applicant responded to Steele's requests stating they were following state statutes.

Councilmember Haase was concerned about what the tax payer benefit would be. Mr. Nabity explained CRA's role in TIF projects and eligible expenses. Asked about possible negatives to this project, he stated there would be an increase in traffic in this area.

Motion by Haase, second by Steele to amend the motion to include separating the TIF requests between the hospital, hotel, and medical center. Upon roll call vote, Councilmembers Steele and

Haase, voted aye. Councilmembers Paulick, Donaldson, Hehnke, Stelk, and Nickerson voted no. Motion failed.

Upon roll call vote of the main motion, Councilmembers Paulick, Donaldson, Hehnke, Stelk, and Nickerson voted aye. Councilmembers Steele and Haase voted no. Mayor Jensen made the sixth and deciding vote in favor. Motion adopted.

Council recessed at 9:25 p.m. and reconvened at 9:31 p.m.

#2016-206 - Consideration of Approving Redevelopment Plan Amendment for CRA Area 1 located at 210 N. Walnut Street (TW Ziller Properties). This item was related to the aforementioned Public Hearing. Comments were made regarding the benefits of this project to the community and to the downtown area.

Motion by Donaldson, second by Minton to approve Resolution #2016-206. Upon roll call vote, all voted aye. Motion adopted.

#2016-207 - Consideration of Approving Redevelopment Plan Amendment for CRA Area 18 located North of Old U.S. Highway 30 and East of Industrial Lane (Lots 2 and 3 of Commercial Industrial Park Sixth Subdivision) (Middleton Properties II., LLC). This item was related to the aforementioned Public Hearing.

Motion by Haase, second by Stelk to approve Resolution #2016-207. Upon roll call vote, all voted aye. Motion adopted.

#2016-208 - Consideration of Approving Proposed Ballot Language for 1/2 Cent Increase to Sales Tax. City Attorney Jerry Janulewicz reported that Nebraska State Statutes permitted cities to increase city sales tax to a rate greater than 1 ½ percent. In order to increase the sales tax ½ percent the council was required to pass a resolution by a vote of at least 70 percent of the members of the council to place this on the November ballot. The deadline to submit this to the Election Commissioners office was September 1, 2016. If this measure passed the revenue would be used for infrastructure.

Comments were made regarding the importance of the voters passing this measure to better the community. Finance Director Renae Griffiths explained the restricted revenue and lid limits.

Motion by Donaldson, second by Hehnke to approve Resolution #2016-208. Upon roll call vote, all voted aye. Motion adopted.

#2016-209 - Consideration of Approving an Interlocal Agreement with the CRA. City Attorney Jerry Janulewicz reported that Neb. Rev. Stat. §77-27,142 required the city to be a party to an interlocal agreement with a political subdivision within the city creating a separate legal or administrative entity relating to a public infrastructure project. Concurrent with a resolution to submit to the electorate a proposal to increase the city sales tax rate, City administration was recommending approval of an interlocal agreement with the Grand Island Community Redevelopment Authority. The Interlocal agreement was approved by the CRA. The Interlocal



agreement would be effective upon, and contingent upon, the City's enactment of an ordinance increasing the sales tax rate above 1 ½ percent.

Motion by Paulick, second by Steele to approve Resolution #2016-209. 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 August 10, 2016 through August 23, 2016 for a total amount of \$6,745,191.44. Unanimously approved.

Discussion Concerning Proposed Fiscal Year 2016-2017 City of Grand Island and Community Redevelopment Authority (CRA) Budgets. Mr. Ferguson stated the salaries and fees were approved and were included in the budget. Mentioned were the personnel costs, future budgets, and the array of cities Grand Island had to compare with. He stated we would work with the Nebraska League of Municipalities regarding comparable cities.

Motion by Stelk, second by Hehnke that we work with the legislature and the Nebraska League of Municipalities to work with the CIR for a formula that is used for the array. Upon roll call vote, Councilmembers Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmembers Paulick, Steele, and Minton voted no. Mayor Jensen made the sixth deciding vote in favor. Motion adopted.

The intent was to work with staff regarding the level of services, costs of those services, health benefits, etc. Mayor Jensen commented on the cost of health care and the aging work force. Changes this year were an increase in employee premiums and spousal health insurance. Drastic changes would come during next year's budget. Councilmember Haase commented on the cash reserve decline and increased employee salaries.

ADJOURNMENT: The meeting was adjourned at 10:30 p.m.

RaNae Edwards  
City Clerk