



City of Grand Island

Tuesday, September 27, 2016

Council Session

Item G-1

Approving Minutes of September 13, 2016 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
September 13, 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 September 13, 2016. Notice of the meeting was given in *The Grand Island Independent* on September 7, 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, Vaughn Minton, Roger Steele, and Mike Paulick. Councilmember Michelle Fitzke 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 Esdras Castaneda.

INVOCATION was given by Pastor Tim Kilstrom, Spirit of Life Church, 2304 Macron Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Fred Tustin, Collection System Supervisor with the Wastewater Treatment Plant of the Public Works Department for 40 Years of Service with the City of Grand Island. Mayor Jensen and the City Council recognized Fred Tustin for his 40 years of service with the City. Mr. Tustin was present for the recognition.

Recognition of Police Sergeant Dale Hilderbrand for 25 Years of Service with the Grand Island Police Department. Mayor Jensen and the City Council recognized Sergeant Dale Hilderbrand for his 25 years of service with the Grand Island Police Department. Sergeant Hilderbrand was present for the recognition.

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

#2016-BE-5 (B) - Consideration of Determining Benefits for Downtown Business Improvement District 2013. Finance Director Renae Griffiths reported that the City Council in its capacity as the Board of Equalization was required to determine the benefits for Downtown BID 2013. Special assessments were for the amount of \$97,828.62 (70%) or \$98,345.04 (100%). Presented were two Resolutions with the 70% and 100% assessment for owner occupied residents. Veronica Zuniga, 120 West Koenig Street requested the lower assessment.

Motion by Donaldson, second by Nickerson to approve Resolution #2016-BE-5 (B). Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request from Steadfast Builders, LLC for a Conditional Use Permit for Parking a Food Trailer on the South Side of the Building Located at 1504 North Eddy Street. Building Department Director Craig Lewis reported that an application had been received from Steadfast Builders, LLC for a Conditional Use Permit to allow for a temporary food trailer on the south side of the building located at 1504 North Eddy Street. Staff recommended approval for one year. Lowell Poland, 1512 No. Eddy Street spoke in support. No further public testimony was heard.

Public Hearing on Request from David and Debra McMullen for a Conditional Use Permit to Allow Construction of a New House while Living in the Existing House located at 3225 N. Webb Road. Building Department Director Craig Lewis reported that an application had been received from David and Debra McMullen for a Conditional Use Permit to allow for the construction of a new house while they lived in the existing house located at 3225 N. Webb Road. Staff recommended approval for one year. David McMullen, 3225 N. Webb Road spoke in support. Paul Wicht, 1708 Jerry Drive questioned the process. No further public testimony was heard.

Public Hearing on Request from Steve and Beckie Glause for a Conditional Use Permit for a 99' Monopole for Wireless Telecom located at 235 Roberts Road. Building Department Director Craig Lewis reported that an application had been received from Verizon Wireless on behalf of Steve and Beckie Glause for a Conditional Use Permit for a 99' Telecommunication Tower located at 235 W. Roberts Road. Staff recommended. Jeffrey Skinner representing Verizon Wireless spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 804 W. Stolley Park Road (Hall County School District 2). Utilities Director Tim Luchsinger reported acquisition of a utility easement located at 804 W. Stolley Park Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would provide for underground electric line which would replace the existing overhead connection between two power lines. The relocation was necessary to accommodate the new traffic signals at Adams Street and Stolley Park Road. Staff recommended approval. No public testimony was heard.

Public Hearing on Budget Amendment for Community Development Block Grant 13-CR-002, 13-CR-102 and 14-CR-002. Community Development Specialist Charley Falmlen reported that the proposed budget amendments would move all remaining funds from all Comprehensive Revitalization grants into the "Public Facilities" category which would accommodate the National Objectives for such work as that of Lions Club Park and the ADA Ramps. Staff recommended approval. No public testimony was heard.

Public Hearing on Proposed Fiscal Year 2016-2017 City of Grand Island and Community Redevelopment Authority (CRA) Budgets (Cont.). Finance Director Renae Griffiths reviewed

changes to the FY2016-2017 Budget. Staff recommended approval. No public testimony was heard.

Public Hearing on Establishing Rates for the General Property Occupation Tax for Downtown Parking District No. 1 for FY 2016-2017. Finance Director Renae Griffiths reported this was the annual Council action to establish the occupation tax for Downtown Improvement and Parking District No. 1. FY 2016-2017 occupation tax factor was \$.1563 per square foot and would provide taxes of \$38,142.85. Staff recommended approval. No public testimony was heard.

Public Hearing on General Property, Downtown Improvement Parking District #2 (Ramp) and Community Redevelopment Authority (CRA) Tax Request for FY 2016-2017. Finance Director Renae Griffiths reported that state statutes required the City to conduct a public hearing if the property tax request changes from one year to the next. Property tax request for FY 2016-2017 general property tax was \$9,509,021, Parking District No. 2 at \$8,000, and the Community Redevelopment Authority property tax at \$762,834. Staff recommended approval. No public testimony was heard.

Public Hearing on Annual Report by the Grand Island Area Economic Development Corporation/Citizen Advisory Review Committee on the Economic Development Program Plan. Dehn Renter, member of the Citizen Advisory Review Committee (CARC) stated the CARC had met and recommended approval of the EDC Annual Report. Dave Taylor, president of Grand Island Area Economic Development Corporation (GIAEDC) gave the annual report. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way in N ½ SW ¼ SW ¼ Section 27-11-9; 3205 S Locust Street (Milton Motels, LLC). Public Works Director John Collins reported that acquisition of public right-of-way was needed to allow for the development of Talon Apartments First Subdivision located at 3205 South Locust Street. Staff recommended approval. No public testimony was heard.

ORDINANCES:

#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 (Second Reading).

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

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

#9601 - Consideration of Creation of Water Main District 469T - Engleman Road from Stolley Park Road, North 1/2 Mile

#9602 - Consideration of Assessments for Downtown Business Improvement District 2013

#9603 - Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement Parking District No. 1

#9604 - Consideration of Approving FY 2016-2017 Annual Single City Budget and the Annual Appropriations Bill

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.

#9601 - Consideration of Creation of Water Main District 469T - Engleman Road from Stolley Park Road, North 1/2 Mile

Utilities Director Tim Luchsinger reported that the proposed Water Main District 469T was an integral part of the Master Plan in order to link between the supply, storage and distribution components of the system. The project would provide a new water main along Engleman Road from Stolley Park Road, north for ½ mile, and connect to the existing piping. The construction completes the westerly backbone of the water system.

Motion by Minton, second by Jones to approve Ordinance #9601.

City Clerk: Ordinance #9601 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 #9601 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 #9601 is declared to be lawfully adopted upon publication as required by law.

#9602 - Consideration of Assessments for Downtown Business Improvement District 2013

Motion by Donaldson, second by Stelk to approve Ordinance #9602 (B).

City Clerk: Ordinance #9602 (B) 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 #9602 (B) 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 #9602 (B) is declared to be lawfully adopted upon publication as required by law.

#9603 - Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement Parking District No. 1

Motion by Paulick, second by Hehnke to approve Ordinance #9603.

City Clerk: Ordinance #9603 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 #9603 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 #9603 is declared to be lawfully adopted upon publication as required by law.

#9604 - Consideration of Approving FY 2016-2017 Annual Single City Budget and the Annual Appropriations Bill

Mayor Jensen commented on the quality of the leadership team. He committed to a balanced General Fund budget for 2017-2018.

Motion by Nickerson, second by Paulick to approve Ordinance #9604.

City Clerk: Ordinance #9604 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Donaldson, Hehnke, Jones, Stelk, and Nickerson voted aye. Councilmember Haase voted no. Motion adopted.

City Clerk: Ordinance #9604 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, Councilmembers Paulick, Steele, Minton, Donaldson, Hehnke, Jones, Stelk, and Nickerson voted aye. Councilmember Haase voted no. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9604 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Stelk, second by Jones to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

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

Approving Re-appointment of Tom Gdowski to the Community Redevelopment Authority (CRA) Board.

#2016-210 - Approving Acquisition of Utility Easement - 804 W. Stolley Park Road - Hall County School District 2.

#2016-211 - Approving Budget Amendment and Contract Extension for Community Development Block Grant 13-CR-002, 13-CR-104 and 14-CR-002 (4th Street & Lion's Club Park).

#2016-212 - Approving Designating Portions of Jefferson Street and 3rd Street at 1306 West 3rd Street as No Parking.

#2016-213 - Approving Certificate of Final Completion for South Locust Traffic Signal Relocation; Project No. 2016-TS-1 with Heartland Electric Company of Grand Island, Nebraska.

#2016-214 - Approving Certificate of Final Completion for the 2015 Asphalt Resurfacing Project No. 2015-AC-1 with J.I.L. Asphalt Paving Co., Inc. of Grand Island, Nebraska.

#2016-215 - Approving Change Order No. 1 for Annual Pavement Markings for the Streets Division of the Public Works Department with Straight-Line Striping, Inc. of Grand Island, Nebraska for an Increase of \$17,000.00 and a Revised Contract Amount of \$94,918.00.

#2016-216 - Approving Certificate of Final Completion for Community Development Block Grant Handicap Ramps 4th to 5th Streets; Sycamore Street to Eddy Street; Project No. 2014-2G (Prairie Land Construction, Inc.) with Prairie Land Construction, Inc., of Loomis, Nebraska.

#2016-217 - Approving Acquisition of Public Right-of-Way in N ½ SW ¼ SW ¼ Section 27-11-9; 3205 S Locust Street (Milton Motels, LLC).

REQUESTS AND REFERRALS:

Consideration of a Request from Steadfast Builders, LLC for a Conditional Use Permit for Parking a Food Trailer on the South Side of the Building Located at 1504 North Eddy Street. This item was related to the aforementioned Public Hearing. Discussion was held regarding maintaining the property and parking lot space. Lowell Poland stated they eventually would like to operate a restaurant out of the existing building.

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

Consideration of a Request from David and Debra McMullen for a Conditional Use Permit to Allow Construction of a New House while Living in the Existing House located at 3225 N. Webb Road. This item was related to the aforementioned Public Hearing.

Motion by Nickerson, second by Hehnke to approve for one year. Upon roll call vote, all voted aye. Motion adopted.

Consideration of a Request from Verizon Wireless on behalf of Steve and Beckie Glause for a Conditional Use Permit for a 99' Monopole for Wireless Telecom located at 235 Roberts Road. This item was related to the aforementioned Public Hearing.

Motion by Nickerson, second by Donaldson to approve with a lighted tower. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2016-218 - Consideration of Approving General Property, Downtown Improvement Parking District #2 (Ramp) and Community Redevelopment Authority (CRA) Tax Request for FY 2017. This item was related to the aforementioned Public Hearing.

Motion by Paulick, second by Minton to approve Resolution #2016-218. Upon roll call vote, all voted aye. Motion adopted.

#2016-219 - Consideration of Approving 1% Increase to the Restricted Revenues Lid Limit. Finance Director Renae Griffiths reported that in 1998 the Nebraska State Legislature passed LB 989 which put a lid on the amount of restricted revenues a political subdivision could budget for. The restricted revenues that the City of Grand Island included in the budget were: Property Taxes, Local Option Sales Tax, Motor Vehicle Tax, Highway Allocation and Municipal Equalization Funds. The additional 1% increase for FY 2016-2017 State of Nebraska budget report would increase the prior year restricted revenues base by \$294,784.01. This increase in restricted funds authority was not an increase in budgeted revenues or authorized expenditures. It only provided the ability to increase restricted revenues in order to budget all restricted revenue funding sources each budget year.

Motion by Jones, second by Minton to approve Resolution #2016-219. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Donaldson, Hehnke, Jones, Stelk, and Nickerson voted aye. Councilmember Haase voted no. Motion adopted.

#2016-220 - Consideration of Approving the Annual Report by the Grand Island Area Economic Development Corporation/Citizen Advisory Review Committee on the Economic Development Program Plan. This item was related to the aforementioned Public Hearing.

Motion by Donaldson, second by Minton to approve Resolution #2016-220. Upon roll call vote, all voted aye. Motion adopted.

#2016-221 - Consideration of Approving Funding for Grand Island Area Economic Development Corporation. Economic Development President Dave Taylor presented the application for funding \$350,000 to the Grand Island Area Economic Development Corporation.

Motion by Stelk, second by Paulick to approve Resolution #2016-221. Upon roll call vote, all voted aye. Motion adopted.

#2016-222 - Consideration of Approving Economic Development Incentive Agreement with Borer Wholesale, 147 East Roberts Street. Economic Development President Dave Taylor presented the LB840 Incentive Agreement for Borer Wholesale, 147 East Roberts Street in the amount of \$117,000.00 to create 8 additional full-time employees. Borer Wholesale is an existing business of wholesale supplier of irrigation, municipal and industrial line shaft turbine pumps and a repair center for irrigation pumps. They currently have 10 employees. The company

intends to expand their market share by conducting more municipal and industrial work and increasing their presence in the export market.

Motion by Donaldson, second by Hehnke to approve Resolution #2016-222. Upon roll call vote, all voted aye. Motion adopted.

#2016-223 - Consideration of Approving Economic Development Incentive Agreement with Inland Truck Parts Company, 4400 College Boulevard, Suite 145, Overland Park, Kansas. Economic Development President Dave Taylor presented the LB840 Incentive Agreement for Inland Truck Parts Company, 4400 College Boulevard, Suite 145, Overland Park, Kansas in the amount of \$197,000.00 to create 20 new full-time employees. Inland Truck Parts Company will be located at the Platte Valley Industrial Park, Lot #16. They are one of the country's largest after-market wholesale truck parts distributors and shop service providers in the U.S. They are 100% employee owned with approximately 650 employee owners in 28 locations.

Motion by Paulick, second by Jones to approve Resolution #2016-223. 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 August 24, 2016 through September 13, 2016 for a total amount of \$6,311,213.44. Unanimously approved.

OTHER ITEMS:

ADJOURN TO EXECUTIVE SESSION: Motion by Paulick, second by Hehnke to adjourn to Executive Session at 8:51 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 Donaldson, second by Hehnke to return to Regular Session at 9:47 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:47 p.m.

RaNae Edwards
City Clerk