



City of Grand Island

Tuesday, October 11, 2016

Council Session

Item G-1

Approving Minutes of September 27, 2016 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
September 27, 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 27, 2016. Notice of the meeting was given in *The Grand Island Independent* on September 21, 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 Clerk RaNae Edwards, Finance Director Renae Griffiths, City Attorney Jerry Janulewicz, and Public Works Director John Collins. City Administrator Marlan Ferguson was absent.

Mayor Jensen introduced Community Youth Council member Olivia Kalvoda and board member Lauren Cantrell.

INVOCATION was given by Steve Johnson, New Life Community Church, 301 West 2nd Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Jensen presented a certificate of appreciation to Tracy Overstreet and thanked her for her 25 years of service with the Grand Island Independent in covering government news. Ms. Overstreet stated she was leaving the Independent to come work for the City of Grand Island Regional Planning Department.

PUBLIC HEARINGS:

Public Hearing on Request from Franco Entertainment, LLC dba The Brick House, 115-117 West 3rd 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 Franco Entertainment, LLC dba The Brick House, 115-117 West 3rd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on August 31, 2016; notice to the general public of date, time, and place of hearing published on September 17, 2016; notice to the applicant of date, time, and place of hearing mailed on August 31, 2016; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Building Department Director Craig Lewis commented on the inspections and recommended support with the condition that the kitchen remodel take place within 6 months. Mark Porto, 308 North Locust Street #501, attorney for the applicant spoke in support. No further public testimony was heard.

Public Hearing on Request from Simbert, LLC dba Peacock Lounge, 2430 Broadwell Avenue for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received from Simbert, LLC dba Peacock Lounge, 2430 Broadwell Avenue. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on September 1, 2016;

notice to the general public of date, time, and place of hearing published on September 17, 2016; notice to the applicant of date, time, and place of hearing mailed on September 1, 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. Mitchell Stehlik, 724 West Koenig Street, attorney for the applicant spoke in support. No further public testimony was heard.

Public Hearing on Request from YZ GYZS, LLC dba The Filling Station, 217 E. Stolley Park Road, Suite N for a Catering Designation to Class “C-113025” Liquor License. City Clerk RaNae Edwards reported that an application for a catering designation to Class “C-113025” Liquor License had been received from YZ GYZ, LLC dba The Filling Station, 217 E. Stolley Park Road, Suite N. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on September 1, 2016; notice to the general public of date, time, and place of hearing published on September 17, 2016; notice to the applicant of date, time, and place of hearing mailed on September 1, 2016; along with Chapter 4 of the City Code. Staff recommended approval. James Rayburn, Gibbon, Nebraska, part-owner spoke in support. No further public testimony was heard.

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

Approving Minutes of September 13, 2016 City Council Regular Meeting.

Approving Minutes for September 20, 2016 City Council Study Session.

Approving Re-appointments of Gail Yenny, Ray O’Connor, and Tom O’Neill and Appointment of Mike Schuster to the Citizens Advisory Review Committee Board.

Approving Garbage Permits for Heartland Disposal and Mid-Nebraska Disposal, Inc. and Refuse Permits for Full Circle Rolloffs and O’Neill Transportation and Equipment LLC.

#2016-224 - Approving Request from Simbert, LLC dba Peacock Lounge, 2430 Broadwell Avenue for a Class “C” Liquor License and Liquor Manager Designation for Guadalupe Valderaz, 240 North Waldo Avenue.

#2016-225 - Approving Request from YZ GYZ, LLC dba The Filling Station, 217 E. Stolley Park Road, Suite N for a Catering Designation to Class “C-113025” Liquor License.

#2016-226 - Approving Final Plat and Subdivision Agreement for Caldwell Subdivision. It was noted that Ken Caldwell, owner, had submitted the Final Plat and Subdivision Agreement for Caldwell Subdivision located south of Seedling Mike Road and east of Shady Bend Road for the purpose of creating 2 lots consisting of .160 acres.

#2016-227 - Approving Certificate of Final Completion for Faidley Avenue Paving Improvements; Project No. 2014-P-1 & Water Improvements; Project No. 2014-W-14 with The Diamond Engineering Company of Grand Island, Nebraska.

#2016-228 - Approving Certificate of Final Completion for South Blaine Street Bridge Replacements; Project No. 2014-B-1 with The Diamond Engineering Company of Grand Island, Nebraska.

#2016-229 - Approving Continuation of Sanitary Sewer District No. 539; North Webb Road and 13th Street.

#2016-230 - Approving Promissory Note for Hall County Sanitary Sewer Improvement District No. 2; Sanitary Sewer Improvements – 2014.

#2016-231 - Approving HDR Engineering, Inc. of Omaha, Nebraska as the Sole Source to Provide the PGS 2016 CCR Program Documentation and Sampling Requirement.

#2016-232 - Approving the Certificate of Final Completion for Water Main Project 2016-W-3 at 13th & Beal Streets with The Diamond Engineering Company of Grand Island, Nebraska.

#2016-233 - Approving the Certificate of Final Completion for Water Main Project 2015-W-10 - Gulf Stream Drive and Citation Way with The Diamond Engineering Company of Grand Island, Nebraska.

#2016-234 - Approving Employee Assistance Program Renewal with Family Resources of Greater Nebraska PC of Grand Island, Nebraska in an Amount of \$9,000.00.

#2016-235 - Approving Amendment to IBEW Labor Contract.

#2016-236 - Approving Annual Payment for Utility Billing Software Support with N. Harris Computer Corporation dba Advanced Utility Systems in an Amount of \$58,198.22 for October 1, 2016 to September 30, 2017 and \$11,450.25 for October 1, 2016 to September 30, 2017 for Infinity Link support.

#2016-237 - Approving Pole Attachment License Agreement with Mobilitie, LLC.

#2016-238 – Approving MOU with Central Nebraska Humane Society for Extension of Contract.

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 (Final Reading). Regional Planning Director Chad Nability stated this was the third and final reading for and Annexation of property in Caldwell Subdivision.

Motion by Paulick, second by Stelk to approve Ordinance #9600 on final 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:

- #9605 - Consideration of Vacation of Sanitary Sewer Easement in Miracle Valley Second Subdivision (Joseph M & Lori J Brown – 2807 N Engleman Road & Randall J & Brenda S Skarka – 2819 N Engleman Road)
- #9606 - 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.

- #9605 - Consideration of Vacation of Sanitary Sewer Easement in Miracle Valley Second Subdivision (Joseph M & Lori J Brown – 2807 N Engleman Road & Randall J & Brenda S Skarka – 2819 N Engleman Road)

Public Works Director John Collins reported that the property owners, Joseph M & Lori J Brown, were requesting to vacate the dedicated sanitary sewer easement within Miracle Valley Second Subdivision. There were no utilities currently within the easement that will be affected by the vacation and the easement was no longer needed.

Motion by Minton, second by Jones to approve Ordinance #9605.

City Clerk: Ordinance #9605 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 #9605 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 #9605 is declared to be lawfully adopted upon publication as required by law.

- #9606 - Consideration of Approving Salary Ordinance

Human Resources Director Aaron Schmid reported that an amendment to the labor agreement for the International Brotherhood of Electrical Workers (IBEW) Local 1597 (Utilities Department) would create the position of Utilities Groundman.

Motion by Paulick, second by Minton to approve Ordinance #9606.

City Clerk: Ordinance #9606 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 #9606 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 #9606 is declared to be lawfully adopted upon publication as required by law.

RESOLUTIONS:

#2016-239 - Consideration of Request from Franco Entertainment, LLC dba The Brick House, 115-117 West 3rd Street for a Class "I" Liquor License and Liquor Manager Designation for Maria Garcia, 644 East Meves. This item was related to the aforementioned Public Hearing.

Motion by Nickerson, second by Haase to approve Resolution #2016-239 contingent upon kitchen plans and contingencies be completed in 6 months. Upon roll call vote, all voted aye. Motion adopted.

#2016-240 - Consideration of Approving Agreement with the Clean Community Systems. City Attorney Jerry Janulewicz reported that as part of the FY 2016-2017 annual budget an appropriation of \$25,000.00 to Grand Island Area Clean Community System was made. Executive Director Denise McGovern-Gallagher gave a PowerPoint presentation of the Grand Island Area Clean Community System. Council thanked the Clean Community System for all of their work.

Motion by Haase, second by Paulick to approve Resolution #2016-240. 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 September 14, 2016 through September 27, 2016 for a total amount of \$4,721,066.70. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 7:52 p.m.

RaNae Edwards
City Clerk