



City of Grand Island

Tuesday, April 11, 2017

Council Session

Item G-1

Approving Minutes of March 28, 2017 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

March 28, 2017

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 March 28, 2017. Notice of the meeting was given in *The Grand Island Independent* on March 22, 2017.

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, Vaughn Minton, Roger Steele, and Mike Paulick. Councilmembers Michelle Fitzke and Julie Hehnke 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 Reid Bednar.

INVOCATION was given by Pastor Mark Oberbeck, Northridge Assembly of God, 3025 Independence Avenue followed by the PLEDGE OF ALLEGIANCE.

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

#2017-BE-2 - Consideration of Determining Benefits for Fonner Park Business Improvement District. Finance Director Renae Griffiths reported that Fonner Park Business Improvement District was created by Ordinance No. 9622 on February 14, 2017. The 2017-2018 Budget provides for special assessments in the amount of \$9.00 per front footage for a total of \$44,422.88. Staff recommended approval for the City Council to determine the benefits of the District.

Motion by Donaldson, second by Minton to approve Resolution #2017-BE-2. Upon roll call vote, all voted aye. Motion adopted.

#2017-BE-3 - Consideration of Determining Benefits for South Locust Street Business Improvement District. Finance Director Renae Griffiths reported that South Locust Street Business Improvement District was created by Ordinance No. 9623 on February 14, 2017. The 2017-2018 Budget provides for special assessments in the amount of \$9.00 per front footage for a total of \$88,613.44. Staff recommended approval for the City Council to determine the benefits of the District.

Motion by Paulick, second by Donaldson to approve Resolution #2017-BE-3. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Minton, second by Jones to return to Regular Session. Motion adopted.

PUBLIC HEARINGS:

Public Hearing on Request from Kinkaider Brewing Co., LLC dba Kinkaider Brewing Co., 316 North Pine Street for a Class “CK” Liquor License. City Clerk RaNae Edwards reported that an application for a Class “CK” Liquor License had been received from Kinkaider Brewing Co., LLC dba Kinkaider Brewing Co., 316 North Pine Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 7, 2017; notice to the general public of date, time, and place of hearing published on March 18, 2017; notice to the applicant of date, time, and place of hearing mailed on March 9, 2017; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and completion of a stated approved alcohol server/seller training program. No public testimony was heard.

Public Hearing on Request from Harold Rosenkotter and Deborah Spaulding for a Conditional Use Permit to Allow for Construction of a House while Living in the Existing Double-wide Trailer located at 3204 South Shady Bend Road. Building Department Director Craig Lewis reported that Harold Rosenkotter and Deborah Spaulding had submitted an application for a Conditional Use Permit for the construction of a new single family dwelling while occupying an existing dwelling at 3204 South Shady Bend Road. The proposed construction was anticipated to take up to a year to complete. Expiration of the conditional use permit would be April 15, 2019 or within 90 days after a certificate of occupancy was issued for the new dwelling. Staff recommended approval. No public testimony was heard.

Public Hearing on Request from Central Nebraska Transload I, LLC for a Conditional Use Permit to Allow for a Chemical/Hazardous Transload (railcar to truck) and Railcar Storage located at 1213/1215-1221 E Hwy 30. Building Department Director Craig Lewis reported that Central Nebraska Transload I, LLC had submitted an application for a Conditional Use Permit to operate a chemical, industrial, nonhazardous, wholesale facility at 1213/1215-1221 E. Hwy 30. Staff recommended approval with the condition that any modification in the chemicals or the amounts stored would need to be approved by the Fire Department prior to implementation. The operation shall submit and maintain a listing of the products and quantities proposed, including documentation identifying the characteristics of the products distributed (MSDS). Dave Taylor representing the Economic Development Corporation spoke in support. No further public testimony was heard.

Public Hearing on Request from Brian and Cathryn Sack for a Conditional Use Permit to Allow for a Used Automobile Sales Business located at 703 & 709 West 3rd Street. Building Department Director Craig Lewis reported that Brian and Cathryn Sack had submitted an application for a Conditional Use Permit to allow for the operation of an outdoor used automobile sales facility located at 703 West 3rd Street. Staff recommended approval. No 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 semi-annual report, which had been voted upon and forwarded to the City Council for its review and acceptance at their March 2, 2017 meeting. Tim White, 1709 Rio Grande Circle, Vice-Chairman of the Citizens Advisory Review Committee, spoke in favor of the semi-annual report. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement in Lot 10 & 11 of Summerfield Estates Tenth Subdivision – 3815 Meadow Way Trail & 1315 Diamond Road (TPCR Developments, LLC). Public Works Director John Collins reported that a utility easement located at 3815 Meadow Way Trail and 1315 Diamond Road was needed to accommodate sanitary sewer service to the area. The easement would 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.

Public Hearing on Acquisition of Permanent Easement for Lift Station No. 20 Upgrade and Force Main Rehabilitation (Titan Machinery, Inc.-3040 Langenheder Street). Public Works Director John Collins reported that a permanent easement located at 3040 Langenheder Street was needed to accommodate Lift Station No. 20 upgrade and force main rehabilitation. The public utility easement would allow for the construction, operation, maintenance, extension, repair, replacement, and removal of material within the easement. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

#9627 - Consideration of Approving Assessments for Fonner Park Business Improvement District

#9628 - Consideration of Approving Assessments for South Locust Business Improvement District

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.

#9627 - Consideration of Approving Assessments for Fonner Park Business Improvement District

This item was related to the aforementioned Board of Equalization hearing.

Motion by Donaldson, second by Paulick to approve Ordinance #9627.

City Clerk: Ordinance #9627 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 #9627 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 #9627 is declared to be lawfully adopted upon publication as required by law.

#9628 - Consideration of Approving Assessments for South Locust Business Improvement District

This item was related to the aforementioned Board of Equalization hearing.

Motion by Paulick, second by Steele to approve Ordinance #9628.

City Clerk: Ordinance #9628 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 #9628 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 #9628 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-12 and G-17 (Resolution #2017-91 and #2017-96) were removed for further discussion. Motion by Donaldson, second by Stelk to approve the Consent Agenda excluding items G-12 and G-17. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of March 14, 2017 City Council Regular Meeting.

#2017-81 - Approving Request from Kinkaider Brewing Co., LLC dba Kinkaider Brewing Co., 316 North Pine Street for a Class "CK" Liquor License and Liquor Manager Designation for Delene Dilsaver, 1410 13th Street, Aurora, Nebraska.

#2017-82 - Approving Bid Award for Turbine Low Pressure Stage "O" Buckets at Platte Generating Station with EthosEnergy TC, Inc. of Chicopee, Massachusetts in an Amount of \$370,220.00.

#2017-83 - Approving Bid Award for Fire Water Tank Interior Painting at Platte Generating Station with J. R. Stelzer Company of Lincoln, Nebraska in an Amount of \$289,700.00.

#2017-84 - Approving Bid Award for Washington Street Parking and Storage Area - Project 2017-PS-1 with Lacy Construction Company of Grand Island, Nebraska in an Amount of \$96,000.00.

#2017-85 - Approving Change Order #1 for Auxiliary Boiler Re-tube at Platte Generating Station with Rasmussen Mechanical Services of Council Bluffs, Iowa for an Increase of \$16,495.00 and a Revised Contract Amount of \$326,804.00.

#2017-86 - Approving Kriz-Davis as the Sole Source Provider of AMI Electric Meters.

#2017-87 - Approving Bid Award for Sanitary Sewer District No. 539 with Starostka Group Unlimited, Inc. of Grand Island, Nebraska in an Amount of \$105,483.25.

#2017-88 - Approving Bid Award for Lift Station No. 20 Upgrade and Force Main Rehabilitation & Lift Station No. 14 Abandonment; Project No. 2017-S-1 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$2,306,455.27.

#2017-89 - Approving Purchase of a New 5 CY Dump Truck for the Streets Division of the Public Works Department from Hansen International of Grand Island, Nebraska in an Amount of \$77,830.00.

#2017-90 - Approving Acquisition of Utility Easement in Lot 10 & 11 of Summerfield Estates Tenth Subdivision– 3815 Meadow Way Trail & 1315 Diamond Road (TPCR Developments, LLC).

#2017-91 - Approving Rescission of Resolution No. 2017-16; Bid Award for Concrete Pavement and Storm Sewer Repairs for 2017 with OK Paving, Inc. of Hordville, Nebraska. Discussion was held concerning rebidding this project.

Motion by Nickerson, second by Minton to approve Resolution #2017-91. Upon roll call vote, all voted aye. Motion adopted.

#2017-92 - Approving Purchase of a New Heavy Duty Work Truck Cab/Chassis for the Streets Division of the Public Works Department from the National Auto Fleet Group of Watsonville, California in an Amount of \$50,604.00.

#2017-93 - Approving Temporary Construction Easement for Lift Station No. 20 Upgrade and Force Main Rehabilitation (Titan Machinery, Inc.-3040 Langenheder Street).

#2017-94 - Approving Acquisition of Permanent Easement for Lift Station No. 20 Upgrade and Force Main Rehabilitation (Titan Machinery, Inc.-3040 Langenheder Street).

#2017-95 - Approving the 2017 High Intensity Drug Trafficking Area (HIDTA) Grant.

#2017-96 - Approving Bid Award for Breathing Air Compressor with Mako distributed by FireGuard, Inc. of Omaha, Nebraska in an Amount of \$28,826.27. Fire Captain Tim Heimer answered questions concerning the bid. He stated 6 cascade bottles were not a part of this bid as they found them cheaper from a different source.

Motion by Nickerson, second by Paulick to approve Resolution #2017-96. Upon roll call vote, all voted aye. Motion adopted.

#2017-97 - Approving Updates to Golf Pro Contract with Don E. Kruse of Grand Island, Nebraska.

#2017-98 - Approving Amendment to the Agreement with Grow Grand Island.

REQUESTS AND REFERRALS:

Consideration of Request from Harold Rosenkotter and Deborah Spaulding for a Conditional Use Permit to Allow for Construction of a House while Living in the Existing Double-wide Trailer located at 3204 South Shady Bend Road. This item was related to the aforementioned Public Hearing. Harold Rosenkotter, 4110 Terrace Circle spoke in support.

Motion by Stelk, second by Minton to approve the request as presented. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Request from Central Nebraska Transload I, LLC for a Conditional Use Permit to Allow for a Chemical/Hazardous Transload (railcar to truck) and Railcar Storage located at 1213/1215-1221 E Hwy 30. This item was related to the aforementioned Public Hearing.

Motion by Jones, second by Donaldson to approve the request with conditions mentioned under the Public Hearing. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Request from Brian and Cathryn Sack for a Conditional Use Permit to Allow for a Used Automobile Sales Business located at 703 & 709 West 3rd Street. This item was related to the aforementioned Public Hearing. Discussion was held concerning the conditions for car lots and enforcement. Building Department Director Craig Lewis stated enforcement was by complaints received. The Community Service Officers (CSO's) also enforced these types of issues.

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

RESOLUTIONS:

#2017-99 - 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 was related to the aforementioned Public Hearing.

Discussion was held concerning upcoming projects. Mr. Taylor stated they were working on several with two looking very good.

Motion by Nickerson, second by Minton to approve Resolution #2017-99. Upon roll call vote, all voted aye. Motion adopted.

#2017-100 - Consideration of Approving Letter of Support for Essential Air Service (EAS) to the Department of Transportation (DOT). Mike Olson, Executive Director of the Central Nebraska Regional Airport gave a presentation regarding Essential Air Service (EAS). On March 15, 2017 the Hall County Airport Authority conducted a public meeting to discuss the bids for Essential Air Service to Grand Island, Nebraska. The Hall County Airport Authority was recommending American Airlines to the Department of Transportation (DOT) for air service for the Central Nebraska Regional Airport under the Essential Air Service Program.

Motion by Donaldson, second by Minton to approve Resolution #2017-100. Upon roll call vote, all voted aye. Motion adopted.

#2017-101 - Consideration of Approving Parking Restrictions on Custer Avenue at the North Front Street Intersection. Public Works Director John Collins reported that on February 28, 2017 this item was presented to City Council for action, however after discussion it was requested the initial 150' parking restriction both north and south from the North Front Street intersection be reviewed. Upon review the Public Works Department found that 75' would be sufficient to improve the sight distance at the intersection.

Discussion was held regarding the 75' no parking zone. Mentioned were stop signs and speeding at this intersection.

Motion by Minton, second by Nickerson to approve Resolution #2017-101. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Donaldson to approve the Claims for the period of March 15, 2017 through March 28, 2017 for a total amount of \$4,384,365.46. Upon roll call vote, Councilmembers Steele, Minton, Donaldson, Haase, Jones, Stelk, and Nickerson voted aye. Motion adopted. Councilmember Paulick abstained.

Questioned was a claim from the Food & Beverage account for asbestos abatement in the amount of \$9,997.00. City Attorney Jerry Janulewicz commented on the parameters for the Food & Beverage fund.

ADJOURNMENT: The meeting was adjourned at 8:14 p.m.

RaNae Edwards
City Clerk