



City of Grand Island

Tuesday, May 9, 2017

Council Session

Item G-1

Approving Minutes of April 25, 2017 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 25, 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 April 25, 2017. Notice of the meeting was given in *The Grand Island Independent* on April 19, 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, 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 member Maddie Galusha.

INVOCATION was given by Pastor Edgar Schambach, St. Pauls Lutheran Church, 1515 South Harrison Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement - 2241 N. Diers Avenue (John R. Menard). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2241 N. Diers 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 the location and access for the installation, operation and maintenance of the relocated power line that serves existing infrastructure and the transformer for a new retail tire store development. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement at 1729 North St. Paul Road (Juan and Anna Rico). Public Works Director John Collins reported that acquisition of a utility easement located at 1729 North St. Paul Road was needed in order to allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement. This easement would provide for the accommodation of public utilities, mainly sanitary sewer, to serve 1731 – 1733 St. Paul Road. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Drainage/Utility Easement at 2535 & 2541 Idaho Avenue (Hastings Ventures, LLC). Public Works Director John Collins reported that acquisition of a utility easement located at 2535 and 2541 Idaho Avenue was needed in order to allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement. This easement would provide for further development. Staff recommended approval. No public testimony was heard.

Public Hearing on the Development of 2017-2018 Annual Action Plan for CDBG Activities. Community Development Administrator Charley Falmlen reported that as part of an Entitlement Community the City had chosen to complete a 3-year Consolidated Plan. Reviewed were the planned programs for the 2017-2018 Annual Action Plan. Staff recommended approval. Chris Rosacker, 1123 West Division Street representing the Downtown BID, Brady Kerkman, 4007 W. Faidley Avenue representing the Central District Health Department, and Denny Casey, 2323 Bellwood Drive #190 representing the Salvation Army spoke in support. No further 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:

#9630 - Consideration of Vacation of Drainage/Utility Easement in Woodland Park 16th Subdivision; 2629 Idaho Avenue (Hastings Ventures, LLC)

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.

Public Works Director John Collins reported that the subdivision developer, Hastings Ventures, LLC, was requesting to vacate a drainage/utility easement that now lies within Woodland Park 16th Subdivision. Staff recommended approval.

Motion by Donaldson, second by Paulick to approve Ordinance #9630.

City Clerk: Ordinance #9630 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 #9630 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 #9630 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-10, G-13 and G-15 (Resolution #2017-125, #2017-128 and #2017-130) were removed for further discussion. Motion by Paulick, second by Stelk to approve the Consent Agenda excluding items G-10, G-13 and G-15. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of April 11, 2017 City Council Regular Meeting.

Receipt of Official Documents – Pawnbroker’s Official Bonds for G.I. Loan Shop, 1004 West 2nd Street and Express Pawn, 645 South Locust Street.

Approving Appointments of Brandi Bosselman and Danny Oberg to the Fonner Park Business Improvement Board.

Approving Appointment of Bev Stutzman to the South Locust Street Business Improvement Board.

#2017-120 - Approving Acquisition of Utility Easement - 2241 N. Diers Avenue (John R. Menard).

#2017-121 - Approving Certificate of Final Completion for Water Main Project 2016-W-1 at the Central Nebraska Regional Airport Terminal Area with The Diamond Engineering Company of Grand Island, Nebraska.

#2017-122 - Approving Acquisition of Utility Easement at 1729 North St Paul Road (Juan and Anna Rico).

#2017-123 - Approving Acquisition of Drainage/Utility Easement at 2535 & 2541 Idaho Avenue (Hastings Ventures, LLC).

#2017-124 - Approving Bid Award for Concrete Pavement and Storm Sewer Repairs for 2017-1 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$694,995.00.

#2017-125 - Approving Agreement Amendment No. 4 with Olsson Associates of Grand Island, Nebraska for Professional Services Related to the Extension of Sanitary Sewer System in Wildwood Subdivision (District No. 528), from Wildwood Sub. to I-80 (District No. 530T), and Sanitary Sewer Improvement Dist. No. 2 (South of I-80) for an Increase of \$8,042.00 and a Revised Contract Amount of \$588,675.00. Comments were made concerning the lawsuit against the City on this project. Van Kirk hired a subcontractor (Iowa Trenching) who sued Van Kirk who then sued the City. The lawsuit had been settled.

Motion by Steele, second by Stelk to approve Resolution #2017-125. Upon roll call vote, all voted aye. Motion adopted.

#2017-126 - Approving Bid Award for Shady Bend Drainage Project No. 2017-D-2 with Van Kirk Bros. Contracting of Sutton, Nebraska in an Amount of \$122,404.00.

#2017-127 - Approving Bid Award for North Broadwell Avenue Drainage Project No. 2017-D-3 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$140,361.50.

#2017-128 - Approving Civic and Community Financing Fund Grant Application. Parks and Recreation Director Todd McCoy stated the City had applied for this grant three years ago but didn't get it because the City did not own the property. Now that the City owned the property they were applying for the grant again. Community Development Administrator Charley Falmlen stated this was a matching grant.

Motion by Stelk, second by Hehnke to approve Resolution #2017-128. Upon roll call vote, all voted aye. Motion adopted.

#2017-129 - Approving Amendment to Lease Agreement with Wells Fargo Regarding Parking Stalls.

#2017-130 - Approving Collection of Various Assessment Liens. City Attorney Jerry Janulewicz explained the process of the liens/assessments on the property. He stated that after 15 years the assessments could not be collected. Discussion was held regarding the impact on people's lives and the possibility for foreclosures.

Motion by Paulick, second by Donaldson to approve Resolution #2017-130. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Donaldson, Hehnke, Haase, Jones, and Stelk voted aye. Councilmember Nickerson voted no. Motion adopted.

#2017-131 - Approving Setting Delinquency Due Date for Special Assessment Installments.

#2017-132 - Approving One (1) New 2017 14,000 GVW (3500) Dump Truck 4x4 for the Parks and Recreation Department from Anderson Ford of Grand Island, Nebraska in an Amount of \$43,282.00.

REQUESTS AND REFERRALS:

Consideration of Review of Public Hearing on the Development of 2017-2018 Annual Action Plan for CDBG Activities. This item was related to the aforementioned Public Hearing. Comments were made regarding the improvements at Lions Club Park. Discussion was held regarding the priorities of the projects CDBG could be used for.

Motion by Donaldson, second by Jones to approve. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2017-133 - Consideration of Amending Subdivision Agreement for Sterling Estates 8th Subdivision. Regional Planning Director Chad Nabity reported that Marc Starostka on behalf of Starostka Group Unlimited, Inc was requesting that the Grand Island City Council consider amending the subdivision agreement for Sterling Estates 8th Subdivision to allow parking only on the east side of Sunrise Avenue and the north side of Monarch Avenue.

The Starostka Group would be purchasing this property located to the north and east sides of Sterling Estates Park and developing it with two-unit townhomes similar to those on the south side of the park. Staff recommended approval.

Comments were made concerning the 32' street with regards to safety, emergency/snow vehicles and congestion concerns. Mr. Nabity stated the City Code allowed for 32' streets.

Motion by Paulick, second by Haase to deny Resolution #2017-133. Upon roll call vote, Councilmembers Paulick, Hehnke, and Haase voted aye. Councilmembers Steele, Minton, Donaldson, Jones, Stelk, and Nickerson voted no. Motion failed.

Motion by Minton, second by Nickerson to approve Resolution #2017-133. Upon roll call vote, Councilmembers Steele, Minton, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Nickerson to approve the Claims for the period of April 12, 2017 through April 25, 2017 for a total amount of \$4,747,830.41. Upon roll call vote, Councilmembers Steele, Minton, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Motion adopted. Councilmember Paulick abstained.

Councilmember Haase had several questions concerning claims with regards to property taxes and unemployment insurance.

ADJOURNMENT: The meeting was adjourned at 9:14 p.m.

RaNae Edwards
City Clerk