



City of Grand Island

Tuesday, July 11, 2017

Council Session

Item G-1

Approving Minutes of June 27, 2017 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

June 27, 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 June 27, 2017. Notice of the meeting was given in *The Grand Island Independent* on June 21, 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, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Finance Director Renae Jimenez, City Attorney Jerry Janulewicz, and Public Works Director John Collins.

Mayor Jensen introduced Community Youth Council member Grace Johnson.

INVOCATION was given by Pastor Bob Kipper, First Christian Church, 2400 West 14th Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Request from Bosselman Pump & Pantry, Inc. dba Pump & Pantry #42, 1235 Allen Drive for a Class "D" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "D" Liquor License had been received from Bosselman Pump & Pantry, Inc. dba Pump & Pantry #42, 1235 Allen Drive. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 30, 2017; notice to the general public of date, time, and place of hearing published on June 17, 2017; notice to the applicant of date, time, and place of hearing mailed on May 31, 2017; along with Chapter 4 of the City Code. Staff recommended approval. Brandi Bosselman representing Pump & Pantry spoke in support. No further public testimony was heard.

Public Hearing on Request from Bosselman Pump & Pantry, Inc. dba Tommy Gunz Bistro/Tommy Gunz Liquor Warehouse, 1607 South Locust Street, Suite B for a Class "CK" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "CK" Liquor License had been received from Bosselman Pump & Pantry, Inc. dba Tommy Gunz Bistro/Tommy Gunz Liquor Warehouse, 1607 South Locust Street, Suite B. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 23, 2017; notice to the general public of date, time, and place of hearing published on June 17, 2017; notice to the applicant of date, time, and place of hearing mailed on May 31, 2017; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Brandi Bosselman representing Pump & Pantry spoke in support. No further public testimony was heard.

Public Hearing on Declaration of Intent to Use Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System Improvements. Public Works Director John

Collins reported that there was approximately \$6,500,000 available from the approved CWSRF Loan Program. The following additional projects had been identified to be included in the CWSRF loan program: Lift Station #11 Upgrade and Force Main Re-route; West Stolley Park Road Sanitary Sewer Extension; and Grand Island Airport Sanitary Sewer Rehabilitation. Staff recommended approval. No public testimony was heard.

Public Hearing on an Amendment to the Redevelopment Plan for CRA Area #1 for Site Specific Redevelopment Plan located at 201-205 West 3rd Street (Hedde Building). Regional Planning Director Chad Nabity reported that Hedde Building LLC, the owner of the Hedde Building had submitted a proposed amendment to the redevelopment plan for CRA Area #1 that would provide for renovation and redevelopment of this property for commercial and residential uses at 201-205 West 3rd Street. Staff recommended approval. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on CRA Area #24 Blighted and Substandard Study for 0.74 Acres located at 701, 711 and 715 N. Howard (TAM, LLC). Regional Planning Director Chad Nabity reported that TAM LLC commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 24. The study was prepared by Marvin Planning Associates of David City, Nebraska. The study area included approximately 0.74 acres on property located north of Faidley Avenue and east of Howard Avenue. Staff recommended approval. Keith Marvin with Marvin Planning Consultants of David City, Nebraska 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 ordinances numbered:

#9634 - Consideration of Vacation of a Portion of College Street; Lafayette Avenue to Custer Avenue

#9635 - Consideration of Vacation of Alley within Wallichs Addition – West of Jefferson Elementary School

#9636 - Consideration of Adopting Updates to Chapter 40 of the Grand Island City Code Related to Storm Water Regulations

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.

#9634 - Consideration of Vacation of a Portion of College Street; Lafayette Avenue to Custer Avenue

Councilmember Steele recused himself from this topic due to a conflict of interest.

Public Works Director John Collins reported that the City had received a request from Grand Island Public Schools (GIPS) to vacate the portion of College Street within the borders of Grand

Island High School (Lafayette Avenue to Custer Avenue). The vacation was needed at this time so that the school could fully develop plans for their new stadium. Staff recommended approval.

The following people spoke in support:

Virgil Harden, 123 South Webb Road
Tracy Skalberg, 4148 Fleetwood Road
Bonnie Hinkle, 1603 Spruce Road
Jeff Gilbertson, Grand Island Senior High Principal
Will Armstrong, 3104 So. Blaine Street
Alan Hayman, 2208 Brahma Street
Daisy Quar, 424 Capital Avenue
Kale Gardner, 809 W. Koenig Street
Milton Castanow, 2020 West 4th Street

The following people spoke in opposition:

Ronald Christensen, 2523 College Street
Jim O'Neill, 2426 North Custer Avenue
Mary Lanfear, 2128 North Custer Avenue
Linda Flaherty, 2419 Grand Island Avenue
Leo Tytkowski, 1916 North Sheridan Avenue

Comments were made by Council concerning the safety of the kids crossing College Street. Mr. Harden stated Phase 1 would be green space, parking, and signage. The street needed to be closed before they could move forward with Phase 2. Mr. Gilbertson answered questions regarding rerouting students. Mr. Collins stated they were looking at Custer Street and Lafayette with regards to turning lanes, stop signs, etc. currently there were no plans for State Street.

Fire Chief Cory Schmidt stated there would be no impact on EMS as they currently avoided College Street because of the speed bump being hard on equipment. Dan Petsch representing the Grand Island Public Schools stated GISH had emergency plans in place. Mr. Collins explained the process of vacating this street. Ownership would revert to GIPS. Concerns were made by Council regarding not having enough information and time to review this issue.

Motion by Donaldson, second by Minton to approve Ordinance #9634.

City Clerk: Ordinance #9634 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 Minton, Fitzke, Donaldson, Hehnke, and Nickerson voted aye. Councilmembers Paulick, Haase, Jones, and Stelk voted no. Mayor Jensen voted in favor to make the sixth and deciding vote. Motion adopted.

City Clerk: Ordinance #9634 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 Minton, Fitzke, Donaldson, Hehnke, and Nickerson voted aye. Councilmembers Paulick, Haase, Jones, and Stelk voted no. Mayor Jensen voted in favor to make the sixth and deciding vote. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9634 is declared to be lawfully adopted upon publication as required by law.

Council took a break at 9:15 p.m. and reconvened at 9:23 p.m.

#9635 - Consideration of Vacation of Alley within Wallichs Addition – West of Jefferson Elementary School

Public Works Director John Collins reported that the City had received a request from Grand Island Public Schools (GIPS) to vacate a portion of the alley running east and west between present day 7th and 8th Streets, from Broadwell Avenue to Adams Street– west of Jefferson Elementary School. Staff recommended approval.

Motion by Paulick, second by Steele to approve Ordinance #9635.

City Clerk: Ordinance #9635 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 #9635 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 #9635 is declared to be lawfully adopted upon publication as required by law.

#9636 - Consideration of Adopting Updates to Chapter 40 of the Grand Island City Code Related to Storm Water Regulations

Public Works Director John Collins reported that the City of Grand Island was obligated to conform to the Environmental Protection Agency (EPA) post construction requirements. In order for the City to meet this responsibility updates were necessary to Chapter 40. Staff recommended approval.

Motion by Fitzke, second by Hehnke to approve Ordinance #9636.

City Clerk: Ordinance #9636 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 #9636 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 #9636 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-14 (Resolution #2017-187) was removed for further discussion. Motion by Donaldson, second by Stelk to approve the Consent Agenda excluding item G-14. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of June 13, 2017 City Council Regular Meeting.

Approving Re-Appointment of Karl Kostbahn to the Occupation Tax Oversight (Food & Beverage) Committee.

Approving Appointment of Tony Randone to the Regional Planning Commission.

#2017-177 - Approving Request from Bosselman Pump & Pantry, Inc. dba Pump & Pantry #42, 1235 Allen Drive for a Class "D" Liquor License and Liquor Manager Designation for Brian Fausch, 2009 W Hwy 34.

#2017-178 - Approving Request from Bosselman Pump & Pantry, Inc. dba Tommy Gunz Bistro/Tommy Gunz Liquor Warehouse, 1607 South Locust Street, Suite B for a Class "CK" Liquor license and Liquor Manager Designation for Brian Fausch, 2009 W Hwy 34.

#2017-179 - Approving Renewal of Coal Marketing Services with Western Fuels Association.

#2017-180 - Approving Bid Award for Boiler Inspection & Repair - Fall 2017 with Hayes Mechanical of LaVista, Nebraska in an Amount of \$484,090.00.

#2017-181 - Approving Bid Award for Turbine Generator Inspection & Repair - Technical Representative with HPI, LLC of Houston, Texas in an Amount of \$66,560.00.

#2017-182 - Approving Trade-In and Purchase of Equipment for the Wastewater Division of the Public Works Department with Landmark Implement of Shelton, Nebraska in an Amount of \$2,096.00.

#2017-183 - Approving Disadvantaged Business Enterprise Fund Plan.

#2017-184 - Approving Application for the Nebraska Public Transportation Assistance Program.

#2017-185 - Approving Change Order No. 1 for Asphalt Resurfacing Project 2017-AC-1 with Vonz Paving, Inc. of Hastings, Nebraska for an Increase of \$133,225.00 and a Revised Contract Amount of \$1,007,308.59.

#2017-186 - Approving Purchase of Two (2) Hydraulic Bulk Salt Spreaders for the Streets Division of the Public Works Department from LCL Truck Equipment of Hastings, Nebraska in an Amount of \$42,080.00.

#2017-187 – Approving Application for the 2017 Cops Hiring Grant. Police Chief Robert Falldorf reported that the U.S. Department of Justice had opened applications for the 2017 COPs Hiring grants with a deadline of July 10, 2017. The grant funding would support paying for the salaries and benefits of four new hire Police Officer's for three years up to \$125,000 per officer. The City would be responsible for a match of at least twenty five percent of the grant.

Discussion was held regarding past grants and the timeline.

Motion by Nickerson, second by Minton to approve Resolution #2017-187. Upon roll call vote, all voted aye. Motion adopted.

#2017-172 (Amended) – Approving Correction to Resolution #2017-172 Regarding Fire Rescue Equipment.

REQUESTS AND REFERRALS:

Consideration of Forwarding Blighted and Substandard Area #25 (Cornhusker Army Ammunition Plant - CAAP) to the Hall County Regional Planning Commission. Regional Planning Director Chad Nabity reported that Central Nebraska Growth Foundation had a Blight and Substandard study prepared by Marvin Planning Consultants for 12,230 acres of property at the former Cornhusker Army Ammunition Plant (CAAP). This property is located west of Grand Island between Husker Highway and Airport Road and between 60th Road and Schauppsville Road.

Central Nebraska Growth Foundation is a not-for-profit organization with the mission of providing a sustainable source of long-term support for the economic development of Hall County by creating sources of funding for viable prospective and existing industries that are creating new and higher-paying jobs for low to moderately paid individuals. Staff recommended forwarding this item to the Regional Planning Commission.

Ron Depue attorney for the applicant and Keith Marvin spoke in support.

Discussion was held regarding annexation. Mr. Nabity stated it would take many years for this to all be annexed. He explained the state statute allowing this to happen.

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

RESOLUTIONS:

#2017-188 - Consideration of Approving Intent to Use the Remainder of Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System Improvements. This item was related to the aforementioned Public Hearing.

Motion by Minton, second by Fitzke to approve Resolution #2017-188. Upon roll call vote, all voted aye. Motion adopted.

#2017-189 - Consideration of Approving Amendment to the Redevelopment Plan for CRA Area #1 for Site Specific Redevelopment Plan located at 201-205 West 3rd Street (Hedde Building). This item was related to the aforementioned Public Hearing.

Motion by Donaldson, second by Stelk to approve Resolution #2017-189. Upon roll call vote, all voted aye. Motion adopted.

#2017-190 - Consideration of Approving CRA Area #24 Blighted and Substandard Study for 0.74 Acres located at 701, 711 and 715 N. Howard (TAM, LLC). This item was related to the aforementioned Public Hearing. Mr. Nabity stated this was the 2nd micro blight area. Discussed was the housing shortage in Grand Island.

Motion by Minton, second by Paulick to approve Resolution #2017-190. Upon roll call vote, all voted aye. Motion adopted.

#2017-191 - Consideration of Approving Economic Development Incentive Agreement with Hendrix ISA, LLC, 621 Stevens Road, Ephrata, Pennsylvania. City Administrator Marlan Ferguson reported that Hendrix ISA, LLC had submitted an LB-840 application for a forgivable loan in the amount of \$600,000.00. Proposed was the creation of 43 full-time equivalents at an average minimum rate of \$13.50 per hour. Grand Island Area Economic Development (GIAEDC) President Dave Taylor stated the GIAEDC approved the application at their September 26, 2016 meeting. Jeff Vinson, Chairman of the Citizens Advisory Review Committee stated the committee met on June 14, 2017 and approved the application.

Motion by Nickerson, second by Hehnke to approve Resolution #2017-191. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Hehnke, second by Donaldson to approve the Claims for the period of June 14, 2017 through June 27, 2017 for a total amount of \$5,472,411.83. Upon roll call vote, Councilmembers Steele, Minton, Donaldson, Fitzke, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Motion adopted. Councilmember Paulick abstained.

ADJOURNMENT: The meeting was adjourned at 10:29 p.m.

RaNae Edwards
City Clerk