



City of Grand Island

Tuesday, September 26, 2017

Council Session

Item G-1

Approving Minutes of September 12, 2107 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

September 12, 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 September 12, 2017. Notice of the meeting was given in *The Grand Island Independent* on September 6, 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, Chuck Haase, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. Councilmember Jeremy Jones was absent. 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 Cindy Moran and board member Maria Lopez.

INVOCATION was given by Pastor Josh Sikes, Third City Christian Church, 4100 West 13th Street followed by the PLEDGE OF ALLEGIANCE.

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

#2017-BE-5 - Consideration of Determining Benefits for Downtown Business Improvement District 2013. Finance Director Renae Jimenez 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 \$100,392.80 (70%) or \$100,776.92 (100%). Presented were two Resolutions with the 70% and 100% assessment for owner occupied residents. Staff recommended approval of the 70% assessments.

Motion by Paulick, second by Donaldson to approve Resolution #2017-BE-5 (A). Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request from Steadfast Builders, LLC for a Conditional Use Permit to Allow 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 a request had been made for approval to continue to place a mobile food trailer on the south side of the building located at 1504 North Eddy Street for four years. Staff recommended approval for one year. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - across from 2825 N. Engleman Road (Jack Voss). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2825 N. Engleman 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 the Utilities Department to extend, operate and maintain an underground power line and a pad-mounted transformer for the existing property and a future development. 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 2017-2018. 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 2017-2018 general property tax was \$11,224,018, Parking District No. 2 at \$8,000, and the Community Redevelopment Authority property tax at \$670,241. 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 2017-2018. 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 2017-2018 occupation tax factor was \$.1702 per square foot and would provide taxes of \$41,990.40. Staff recommended approval. No public testimony was heard.

Public Hearing on Proposed Fiscal Year 2017-2018 City of Grand Island and Community Redevelopment Authority (CRA) Budgets. Finance Director Renae Griffiths reviewed changes to the FY2017-2018 Budget. Total of all funds was \$219,379,933. Staff recommended approval. No public testimony was heard.

RESOLUTIONS:

#2017-247 - Consideration of Directing Property Owner to Install Sidewalk at 4194 Norseman Avenue (Federal Home Loan Mortgage Corp.). Public Works Director John Collins reported that a complaint had been received concerning a missing sidewalk on the west side of 4194 Norseman Avenue. The Public Works Department was requesting a resolution be passed giving the property owner 15 days to obtain the sidewalk permit and 15 days from issuance of such permit to complete the installation of the sidewalk.

Motion by Steele, second by Minton to approve Resolution #2017-247.

Discussion was held regarding sidewalk policy, curb and gutters in this area. Mr. Collins stated the subdivision agreement required sidewalks. Comments were made by Council that a sidewalk was needed all along Norseman Avenue.

Motion by Paulick, second by Haase to postpone this item until the section meeting in October (October 24, 2017). Upon roll call vote, all voted aye. Motion adopted.

#2017-248 - Consideration of Directing Property Owner to Remove Trees from Public Right-of-Way Adjacent to 1805 West 10th Street (Anne Bohan). Public Works Director John Collins reported that through the Citizen Request system, Code Enforcement received notice of small trees that had been planted in the public right-of-way at the southwest corner of the 10th Street and Broadwell Avenue intersection causing sight obstruction. A letter was sent to the property owner requesting removal of such trees no later than August 7, 2017. To date no action had been taken to correct this sight obstruction. Staff was recommending removal of the trees.

Discussion was held regarding other trees in the right-of-way and the possibility of transplanting these trees instead of cutting them down.

Motion by Donaldson, second by Fitzke to approve Resolution #2017-248. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, and Nickerson voted aye. Councilmember Stelk voted no. Motion adopted.

#2017-249 - Consideration of Approving Labor Agreement between the City of Grand Island and the International Association of Firefighters, Local No. 647. Human Resources Director Aaron Schmid reported that the current labor agreement would expire as of midnight September 30, 2017. The City and the IAFF met to negotiate the terms of a new agreement. The proposed labor agreement would begin October 1, 2017 and run through September 30, 2019. Mr. Schmid reviewed several changes to the current contract with a wage freeze for the next two years. Staff recommended approval.

Motion by Hehnke, second by Minton to approve Resolution #2017-249. Upon roll call vote, all voted aye. Motion adopted.

#2017-250 - Consideration of Approving Labor Agreement between the City of Grand Island and Union Local No. 1597, I.B.E.W., AFL-CIO. Human Resources Director Aaron Schmid reported that the current labor agreement would expire as of midnight September 30, 2017. The City and the IBEW met to negotiate the terms of a new agreement. The proposed labor agreement would begin October 1, 2017 and run through September 30, 2020. Mr. Schmid stated the changes proposed were primarily based on comparability studies from the salary array. Reviewed were several changes to the current contract. Staff recommended approval.

Motion by Stelk, second by Fitzke to approve Resolution #2017-250. Upon roll call vote, all voted aye. Motion adopted.

#2017-251 - Consideration of Approving General Property, Downtown Improvement Parking District #2 (Ramp) and Community Redevelopment Authority (CRA) Tax Request for FY 2018. This item was related to the aforementioned Public Hearing.

The following people spoke in opposition:

- Jerry Poels, 3418 o. DeAnn Road
- Kurt Dockhorn, 2703 W. John Street
- Jody Roepke, 2521 Commerce Avenue

Discussion was held concerning the levy amount. Ms. Jimenez highlighted the cuts made in the budget. Comments were made regarding property tax and the wheel tax.

Motion by Minton, second by Paulick to approve Resolution #2017-251. Upon roll call vote, Councilmembers Paulick, Minton, Fitzke, Donaldson, Stelk, and Nickerson voted aye. Councilmembers Steele, Hehnke, and Haase voted no. Motion adopted.

#2017-252 - 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 2017-2018 State of Nebraska budget report would increase the prior year restricted revenues base by \$305,101.45. 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 Paulick, second by Minton to approve Resolution #2017-252. Upon roll call vote, Councilmembers Paulick, Fitzke, Donaldson, Stelk, and Nickerson voted aye. Councilmembers Steele, Minton, Hehnke, and Haase voted no. Motion failed.

#2017-253 – Consideration of Approving FTE’s for FY 2017-2018. Finance Director Renae Jimenez reported that there was a reduction of FTE’s to the General Fund of 10.8 and an increase of 1.2 FTE’s to all other funds.

Motion by Paulick to add 2 Police Officer positions died due to a lack of a second.

Motion by Donaldson, second by Fitzke to approve Resolution #2017-253. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

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:

#9649 (A) - Consideration of Assessments for Downtown Business Improvement District 2013

#9650 - Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement Parking District No. 1

#9651 - Consideration of Approving FY 2017-2018 Annual Single City Budget and the Annual Appropriations Bill

#9652 - 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.

#9649 (A)- Consideration of Assessments for Downtown Business Improvement District 2013

This item was related to the aforementioned Board of Equalization.

Motion by Minton, second by Hehnke to approve Ordinance #9649.

City Clerk: Ordinance #9649 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 #9649 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 #9649 is declared to be lawfully adopted upon publication as required by law.

#9650 - Consideration of Amendments to Chapter 13 of the Grand Island City Code Relative to Occupation Tax for Downtown Improvement Parking District No. 1

This item was related to the aforementioned Public Hearing.

Motion by Steele, second by Donaldson to approve Ordinance #9650.

City Clerk: Ordinance #9650 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 #9650 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 #9650 is declared to be lawfully adopted upon publication as required by law.

#9651 - Consideration of Approving FY 2017-2018 Annual Single City Budget and the Annual Appropriations Bill

This item was related to the aforementioned Public Hearing. Comments were made regarding the Annual Appropriations Bill, self-insurance, and the budget process.

Motion by Stelk, second by Minton to approve Ordinance #9651.

City Clerk: Ordinance #9651 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 Steele, Minton, Fitzke, Donaldson, Hehnke, Stelk, and Nickerson voted aye. Councilmembers Paulick and Haase voted no. Motion adopted.

City Clerk: Ordinance #9651 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 Steele, Minton, Fitzke, Donaldson, Hehnke, Stelk, and Nickerson voted aye. Councilmembers Paulick and 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 #9651 is declared to be lawfully adopted upon publication as required by law.

#9652 - Consideration of Approving Salary Ordinance

Human Resources Director Aaron Schmidt reported that a salary ordinance was presented each year as part of the budget process. Wage changes were for bargaining units according to their respective labor agreements and negotiated wages. Discussion was held regarding the title change and cost of living adjustment.

Motion by Donaldson, second by Fitzke to approve Ordinance #9652.

City Clerk: Ordinance #9652 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, Fitzke, Donaldson, Hehnke, Stelk, and Nickerson voted aye. Councilmember Haase voted no. Motion adopted.

City Clerk: Ordinance #9652 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, Fitzke, Donaldson, Hehnke, 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 #9652 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of August 22, 2107 City Council Regular Meeting.

Approving Minutes of August 29, 2017 City Council Special Meeting.

Approving Re-Appointment of Krae Dutoit to the Community Redevelopment Authority (CRA) Board.

Approving Re-Appointments of Jeff Vinson and Tim White to the Citizens Advisory Review Committee.

Approving Request for Liquor Manager Designation for Shayla Meister, 411 Sunset Avenue for Smoker Friendly Liquor & Tobacco 18, 710 Diers Avenue.

#2017-240 - Approving Renewal of Machinery, Property Peril, Fire and Terrorism Insurance for 2017 – 2018 with Factory Mutual Insurance Company of St. Louis, Missouri in an Amount of \$408,542.00.

#2017-241 - Approving Change Order #1 for the Utilities Vehicle Garage and Warehouse at 1306 West 3rd Street with Chief Construction Company of Grand Island, Nebraska for an Increase of \$21,833.51 and a Revised Contract Amount of \$394,446.51.

#2017-242 - Approving Acquisition of Utility Easement - across from 2825 N. Engleman Road (Jack Voss).

#2017-243 - Approving Certificate of Final Completion for Curb Ramp Project No. 2017-CR-1 with Galvan Construction, Inc. of Grand Island, Nebraska.

#2017-244 - Approving Bid Award for Phase 3 & 4 Geospatial Data Collection of Grand Island's Public Sanitary Sewer System – 2017 with EA Engineering, Science & Technology, Inc. of Lincoln, Nebraska in an Amount of \$88,332.00.

#2017-245 - Approving Change Order No. 1 (Time Extension to October 1, 2017) for Curb Ramp Project No. 2017-CR-2 with The Diamond Engineering Company of Grand Island, Nebraska.

#2017-246 - Approving Change Order No. 1 for Shady Bend Drainage Project No. 2017-D-2 with Van Kirk Bros. Contracting of Sutton, Nebraska for an Increase of \$10,750.00 and a Revised Contract Amount of \$133,154.00.

REQUESTS AND REFERRALS:

Consideration of Request from Steadfast Builders, LLC for a Conditional Use Permit to Allow 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.

Keith Espeland, 1710 So. Harrison Street representing Steadfast Builders spoke in support.

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

PAYMENT OF CLAIMS:

Motion by Minton, second by Hehnke to approve the payment of claims for the period of August 23, 2017 through September 12, 2017 for a total amount of \$3,848,772.46. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Paulick abstained. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:02 p.m.

RaNae Edwards
City Clerk