



City of Grand Island

Tuesday, November 14, 2017

Council Session

Item G-1

Approving Minutes of October 24, 2107 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
October 24, 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 October 24, 2017. Notice of the meeting was given in *The Grand Island Independent* on October 18, 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 Clerk RaNae Edwards, Finance Director Renae Jimenez, City Attorney Jerry Janulewicz, and Public Works Director John Collins.

Mayor Jensen introduced Community Youth Council member Patrick Tum-Monge.

INVOCATION was given by Father Jim Golka, St. Mary's Cathedral, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement - 111 East 4th Street - LaMexicana. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 111 East 4th Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would allow the Utilities Department to extend, operate and maintain an underground power line and a pad-mounted transformer to serve the property. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - the Southerly Side of 2311 One-R Road - DMBG Investments, LLC. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located on the southerly side of 2311 One-R Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would allow the Utilities Department to extend, operate and maintain power lines for irrigation wells and homesteads in the area. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 1700 W. Stolley Park Road - Hall County School Dist. 2. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1700 West Stolley Park Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would allow the Utilities Department to extend, operate and maintain high-voltage underground power lines and a pad-mounted transformer for the new elementary school. Staff recommended approval. No public testimony was heard.

Public Hearing on Redevelopment Plan Amendment for CRA Area No. 6 located along Old Lincoln Highway between Carey and Waldo Avenues (Mendez Enterprises). Regional Planning Director Chad Nabity reported that Mendez Enterprise had submitted an application for Tax Increment Financing to aid in the redevelopment of property, to acquire and prepare for the construction of one new building and the renovation of several properties located along Old Lincoln Highway between Carey Avenue and Waldo Avenue. Staff recommended approval. Ken Fredrick, 51 Sonja Drive, Doniphan and Vincent Mendez, 116 So. Cherokee Avenue spoke in support. No further public testimony was heard.

Public Hearing on Redevelopment Plan Amendment for CRA Area No. 20 located at 7100 W. Old Potash Highway (formerly used defense site in Hall County) (O'Neill Wood Resources). Regional Planning Director Chad Nabity reported that O'Neill Wood Resources, owns property in this area and was proposing to purchase and develop additional property within the area and had submitted a site specific redevelopment plan that would provide for acquisition of this property for a recycling center and construction and demolition landfill at the Cornhusker Army Ammunition Plant, a formerly used defense site outside of Grand Island. Staff recommended approval. Ron Depue, 308 No. Locust Street and Dave Taylor, 123 No. Locust Street 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:

- #9655 - Consideration of Amending the Salary Ordinance
- #9656 - Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Mini-Pigs
- #9657 - Consideration of Property Exchange for Part of Sterling Estates 8th Subdivision for Part of Sterling Park in Sterling Estates 4th Subdivision
- #9658 - Consideration of Vacating Ewoltd Subdivision for Part of Prairie Commons Subdivision
- #9659 - Consideration of Amending Ordinance No. 9642 Chapter 23 of the Grand Island City Code - Rental Car Occupation Tax to Renumber Sections 23-81 through 23-91
- #9660 - Consideration of Creation of Water Main District 471T - Highway 34 and just east of the South Locust Street Intersection
- #9661 - Consideration of Amending Chapter 8 of the Grand Island City Code Relative to Adopting the 2015 International Building Codes

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.

- #9655 - Consideration of Amending the Salary Ordinance

Tom O'Neill, 217 Barbara Avenue spoke in support.

Motion by Donaldson, second by Fitzke to approve Ordinance #9655 on second and final reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9655 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 #9655 is declared to be lawfully adopted upon publication as required by law.

#9656 - Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Mini-Pigs

City Attorney Jerry Janulewicz reported that a citizen of Grand Island was found to be in possession of a mini-pig in violation of City Code. This citizen forwarded a request to the Animal Advisory Board to change City Code to allow citizens to have mini-pigs within the city limits. The Animal Advisory Board met and proposed changes to Chapter 5 of the Grand Island City Code to include mini-pigs in the City Code with stipulations.

Rose Krause, 408 East 19th Street and Paul Wicht, 1708 Jerry Avenue spoke in opposition. Angela Alexander, 423 West 5th Street spoke in support.

Comments were made regarding other cities in Nebraska that allowed mini pigs. It was mentioned that the Humane Society would not be able to handle these types of animals nor did they want to at this time. City Attorney Jerry Janulewicz commented on the definition of mini pigs.

Motion by Nickerson, second by Minton to approve Ordinance #9656.

City Clerk: Ordinance #9656 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmember Nickerson voted aye. Councilmembers Paulick, Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Jones, and Stelk voted no. Motion failed.

#9657 - Consideration of Property Exchange for Part of Sterling Estates 8th Subdivision for Part of Sterling Park in Sterling Estates 4th Subdivision

Regional Planning Director Chad Nabity reported that the proposed exchange would insure that clear title was available for the Sterling Estates Park and for Lot 6, Block 2 and Lot 12, Block 1 of Sterling Estates 8th Subdivision as platted.

Motion by Haase, second by Paulick to approve Ordinance #9657 on second and final reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9657 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 #9657 is declared to be lawfully adopted upon publication as required by law.

#9658 - Consideration of Vacating Ewoldt Subdivision for Part of Prairie Commons Subdivision

Regional Planning Director Chad Nabity reported that Prataria Ventures LLC, as the owner of the impacted property had requested that the City vacate Ewoldt Subdivision. This request was made to facilitate the replatting of this property into Prairie Commons Subdivision..

Motion by Stelk, second by Donaldson to approve Ordinance #9658 on second and final reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9658 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 #9658 is declared to be lawfully adopted upon publication as required by law.

#9659 - Consideration of Amending Ordinance No. 9642 Chapter 23 of the Grand Island City Code - Rental Car Occupation Tax to Renumber Sections 23-81 through 23-91

City Attorney Jerry Janulewicz reported that Ordinance #9659 would amend Ordinance #9642 to correct the numbering of Sections 23-81 to 23-91.

Motion by Paulick, second by Hehnke to approve Ordinance #9659 on second and final reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9659 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 #9659 is declared to be lawfully adopted upon publication as required by law.

#9660 - Consideration of Creation of Water Main District 471T - Highway 34 and just east of the South Locust Street Intersection

Utilities Director Tim Luchsinger reported that the proposed Water Main District 471T would extend a new water main under and along the north side of Highway 34, east of the Locust Street intersection. The proposed work was identified in the Utilities Department's Master Plan as the first phase of an expansion of the water system along the southeast part of the City. It would provide for future development of the area, redundancy and increased pressures for the system. The district would be constructed as a connection fee district. Discussion was held regarding the location of the district which included apartments.

Motion by Jones, second by Donaldson to approve Ordinance #9660.

City Clerk: Ordinance #9660 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 #9660 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 #9660 is declared to be lawfully adopted upon publication as required by law.

#9661 - Consideration of Amending Chapter 8 of the Grand Island City Code Relative to Adopting the 2015 International Building Codes

Building Department Director Craig Lewis reported that the City of Grand Island had for generations adopted and enforced building codes which regulate the construction of buildings within the City and jurisdictional areas. The purpose of these codes was to provide minimum requirements to safeguard the public safety, health and general welfare, through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations. Currently the City was enforcing the 2012 edition and was recommending approving the 2015 edition.

Motion by Minton, second by Hehnke to approve Ordinance #9661.

City Clerk: Ordinance #9661 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 #9661 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 #9661 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of October 10, 2107 City Council Regular Meeting.

Approving Appointment of Robin Hendricksen to the Regional Planning Commission.

Approving Appointment of Tony Randone and Robin Hendricksen to the Interjurisdictional Planning Commission.

Approving Re-Appointment of Roger Bullington to the Grand Island Facilities Corporation.

#2017-290 – Approving Changing the City Council Meeting of December 26, 2017 to December 19, 2017.

#2017-291 - Approving City Council Meeting Schedule for 2018.

#2017-292 - Approving Final Plat and Subdivision Agreement for Staab Estates Subdivision. It was noted that Chief Construction, Managing Project for several Staab companies, had submitted the Final Plat and Subdivision Agreement for Staab Estates Subdivision located south of Hedde Street and west of Locust Street for the purpose of creating 2 lots on 2.756 acres.

#2017-293 - Approving Acquisition of Utility Easement - 111 E. 4th Street – LaMexicana.

#2017-294 - Approving Acquisition of Utility Easement - the Southerly Side of 2311 One-R Road - DMBG Investments, LLC.

#2017-295 - Approving Acquisition of Utility Easement - 1700 W. Stolley Park Road - Hall County School Dist. 2.

#2017-296 - Approving Safety Glass Contract for Utilities, Public Works & Parks & Recreation for 2018 & 2019 with Heartland Optical of Lincoln, Nebraska.

#2017-297 - Approving Change Order #1 for Composite Elevated Water Storage with Landmark Structures of Fort Worth, Texas for an Increase of \$102,255.00 and a Revised Contract Amount of \$3,556,455.00.

#2017-298 - Approving 2018 Police Fleet Purchases from State Contract with Anderson Auto Group of Lincoln, Nebraska in an Amount of \$116,576.00.

#2017-299 - Approving Land Lease Agreement with USA Outdoors II, LLC for Roadside Advertising Sign.

#2017-300 - Approving Certificate of Final Completion for the 2017 Asphalt Resurfacing Project No. 2017-AC-1 with Vont Paving, Inc. of Hastings, Nebraska.

#2017-301 - Approving Skid Steer Buy-Back for Streets Division with Central Nebraska Bobcat of Grand Island, Nebraska in an Amount of \$5,914.00 for a New T650 T4 Compact Track Loader at \$3,300.00 for a New T595 T4 Compact Track Loader.

#2017-302 - Approving Engineering Services Agreement for Wastewater Treatment Plant Biological Nutrient Removal / Blower Size Reduction Study with HDR Engineering, Inc. of Omaha, Nebraska in an Amount of \$206,429.00.

#2017-303 - Approving Subrogation Reimbursement with Blue Cross Blue Shield of Nebraska.

RESOLUTIONS:

#2017-304 - Consideration of Approving Redevelopment Plan Amendment for CRA Area No. 6 located along Old Lincoln Highway between Carey and Waldo Avenues (Mendez Enterprises). This item was related to the aforementioned Public Hearing. Staff recommended approval. Discussion was held regarding the financing package of this project. Timeline of the project was estimated at two years.

Motion by Haase, second by Minton to approve Resolution #2017-304. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

Council recessed at 8:58 p.m. and reconvened at 9:05 p.m.

#2017-305 - Consideration of Approving Redevelopment Plan Amendment for CRA Area No. 20 located at 7100 W. Old Potash Highway (formerly used defense site in Hall County) (O'Neill Wood Resources). This item was related to the aforementioned Public Hearing. Staff recommended approval. Pat O'Neill, owner, answered questions concerning the types of materials accepted at the landfill and the recyclable buildings. Timeline was expected to be 18 months for the first phase.

Motion by Haase, second by Minton to approve Resolution #2017-305. Upon roll call vote, all voted aye. Motion adopted.

#2017-306 - Consideration of Approving Bid Award for Grand Island Veteran's Athletic Fields - Phase 2 with Nemaha Landscape Construction, Inc. of Lincoln, Nebraska in an Amount of \$5,577,348.00. Parks & Recreation Director Todd McCoy stated this project had been in the works for a long time. Olsson Associates had been hired to design the Veteran's Athletic Fields. Reviewed was the design with six new ball fields, concession stand, restrooms, walking trails, and a splash pad. Three bids had been received with the low bid from Nemaha Landscape Construction, Inc. of Lincoln, Nebraska in an amount of \$5,577,348.00.

Ken Gnadt, 1610 Gretchen Avenue spoke in support.

Matt Rief with Olsson Associates explained the contingency plan for additional parking. Finance Director Renae Jimenez answered questions concerning the funding of this project. She stated the annual payment of \$550,000.00 would come from the Food & Beverage tax. Mr. McCoy stated he would need to hire one additional FTE and three seasonal employees for the maintenance of these fields.

Motion by Nickerson, second by Fitzke to approve Resolution #2017-306. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Fitzke, Donaldson, Hehnke, Jones, Stelk, and Nickerson voted aye. Councilmember Haase voted no. Motion adopted.

#2017-307 - Consideration of Approving Bid Award for Veteran's Athletic Field Complex Splash Pad with Outdoor Recreation Products of Elkhorn, Nebraska in an Amount of \$150,000.00. Parks & Recreation Director Todd McCoy stated one bid had been received for this project.

Motion by Donaldson, second by Paulick to approve Resolution #2017-307. Upon roll call vote, all voted aye. Motion adopted.

#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 the Public Works had received a complaint regarding missing sidewalk on the west side of 4194 Norseman Avenue. On September 12, 2017 this issue was presented to Council and was differed to the October 24, 2017 City Council meeting. To comply with requirements of the Subdivision agreement the Public Works Department was requesting a resolution giving the property owner 15 days to obtain the sidewalk permit and 15 days from issuance to complete the installation of the sidewalk at 4194 Norseman Avenue. If the property owner failed to either obtain the sidewalk permit in the 15 day timeframe or complete installation 15 days after, the City of Grand Island would take steps to make the necessary repairs with all costs being the responsibility of the property owner.

Discussion was held regarding there being no sidewalks north to Capital Avenue. Building Department Director Craig Lewis commented on the Subdivision Agreement and that Council could amend the Subdivision Agreement or could require that sidewalks be put in along Independence Avenue.

Motion by Minton, second by Jones to approve Resolution #2017-247. Upon roll call vote, Councilmembers Steele, Donaldson, Hehnke, Haase, and Nickerson voted aye. Councilmember Paulick, Minton, Fitzke, Jones, and Stelk voted no. Mayor Jensen cast the sixth and deciding vote in favor. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Fitzke to approve the payment of claims for the period of October 1, 2017 through October 24, 2017 for a total amount of \$5,851,972.36. Upon roll call vote, Councilmembers, Minton, Steele, Fitzke, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Paulick abstained. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:55 p.m.

RaNae Edwards
City Clerk