



# **City of Grand Island**

**Tuesday, February 27, 2018**

**Council Session**

## **Item G-1**

### **Approving Minutes of February 13, 2018 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

February 13, 2018

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 February 13, 2018. Notice of the meeting was given in *The Grand Island Independent* on February 7, 2018.

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, Interim Finance Director William Clingman, City Attorney Jerry Janulewicz, and Public Works Director John Collins.

Mayor Jensen introduced Community Youth Council members Brent Lucke and Cindy Moran.

INVOCATION was given by Mayor Jensen followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Frank Slezak, Interim Parks Maintenance Superintendent for 30 Years of Service with the City of Grand Island. The Mayor and City Council recognized Interim Parks and Recreation Superintendent Frank Slezak for 30 years of service with the City of Grad Island. Mr. Slezak was present for the recognition.

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

#2018-BE-1 - Consideration of Determining Benefits for Water Main District 470T - Hwy. 2 from North Road East about 1/2 Mile. Assistant Utilities Director Ryan Schmitz reported that work had been completed and connection fees had been calculated. Total project cost was \$161,569.94. Staff recommended approval.

Motion by Donaldson, second by Fitzke to approve Resolution #2018-BE-1. 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 GIPH Restaurants, LLC dba Pizza Hut, 1608 South Locust Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received GIPH Restaurants, LLC dba Pizza Hut, 1608 South Locust Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on January 16, 2018;

notice to the general public of date, time, and place of hearing published on February 3, 2018; notice to the applicant of date, time, and place of hearing mailed on January 16, 2018; along with Chapter 4 of the City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Request from GIPH Restaurants, LLC dba Pizza Hut, 707 North Diers Avenue for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received GIPH Restaurants, LLC dba Pizza Hut, 707 North Diers Avenue. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on January 16, 2018; notice to the general public of date, time, and place of hearing published on February 3, 2018; notice to the applicant of date, time, and place of hearing mailed on January 16, 2018; along with Chapter 4 of the City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easements - Golden Age Subdivision - Hall County Housing Authority. Assistant Utilities Director Ryan Schmitz reported that acquisition of a utility easement located in the Golden Age Subdivision was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including water lines. This easement would provide access, extend, operate and maintain the water lines that serve the area. Staff recommended approval. No public testimony was heard.

Public Hearing on Request from Berean Fundamental Church of Grand Island on behalf of Verizon Wireless for a Conditional Use Permit to Erect an 85' Stealth Communication Tower Facility Located at 4116 West Capital Avenue. Building Department Director Craig Lewis reported that Berean Fundamental Church of Grand Island on behalf of Verizon Wireless, had submitted an application for a Conditional Use Permit to construct an 85' telecommunications tower at 4116 West Capital Avenue. Staff recommended approval. Paul Hailicka, 4116 Iowa Avenue spoke in opposition. No further public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way in Windolph's Subdivision (Villanueva). This item was pulled from the agenda at the request of the Public Works Department.

Public Hearing on Acquisition of Sidewalk Easement at 3704 West 13th Street (Richard A. Cash, LLC). Public Works Director John Collins reported that a sidewalk easement was needed in connection with the 13<sup>th</sup> Street and North Road intersection improvements to allow for public use of such adjacent to 3704 West 13<sup>th</sup> Street. The property owner, Richard A. Cash, had signed the necessary document to grant a public sidewalk easement, in an amount of \$2,400.00, which allowed for a seven (7) foot wide 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 ordinances numbered:

#9675 - Consideration of Amendment to Chapter 24, Article II, Section 24-8 of the Grand Island City Code Related to Swimming in City Lakes

#9676 - Consideration of Amendment to the Salary Ordinance Relative to Lifeguard Referral Program

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.

**#9675 - Consideration of Amendment to Chapter 24, Article II, Section 24-8 of the Grand Island City Code Related to Swimming in City Lakes**

Parks and Recreation Director Todd McCoy reported that the Grand Island Sports Council requested that City Code be modified so that swimming may be allowed in order to host a Triathlon event at L.E. Ray Lake. Staff recommends modifying Chapter 24 of City Code to allow swimming specifically for approved special events only.

Ray O’Conner, 611 Fleetwood Road spoke in support. Discussion was held regarding the supervision at L.E. Ray Lake during the triathlon. Randy Blair representing the Grand Island Sport Council explained the measures taken for safety during the triathlon.

Motion by Paulick, second by Stelk to approve Ordinance #9675.

City Clerk: Ordinance #9675 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 #9675 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 #9675 is declared to be lawfully adopted upon publication as required by law.

**#9676 - Consideration of Amendment to the Salary Ordinance Relative to Lifeguard Referral Program**

Hunan Resources Director Aaron Schmid reported that the City swimming pools continued to see a decline in lifeguard staff and it was becoming increasingly difficult to maintain minimum staffing levels despite efforts to recruit new guards. The proposed change to the salary ordinance would allow for an employee referral program. The intent was to utilize current staff to recruit new hires. Staff recommended approval.

Discussion was held regarding increasing the salaries for the lifeguards.

Motion by Minton, second by Jones to approve Ordinance #9676.

City Clerk: Ordinance #9676 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, Jones, Stelk and Nickerson voted aye. Councilmembers Paulick, Hehnke, and Haase voted no. Motion adopted.

City Clerk: Ordinance #9676 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, Jones, Stelk and Nickerson voted aye. Councilmembers Paulick, Hehnke, 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 #9676 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-9, G-10, and G-16 were pulled from the agenda. Items G-15 and G-19 (Resolutions #2018-42 and #2018-46) were pulled for further discussion. Motion by Donaldson, second by Fitzke to approve the Consent Agenda excluding items G-9, G-10, G-15, G-16, and G-19. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of January 23, 2018 City Council Regular Meeting.

#2018-29 - Approving Request from GIPH Restaurants, LLC dba Pizza Hut, 1608 South Locust Street for a Class "C" Liquor License and Liquor Manager Designation for Brett Klanecky, 2123 No. Wheeler Avenue.

#2018-30 - Approving Request from GIPH Restaurants, LLC dba Pizza Hut, 707 North Diers Avenue for a Class "C" Liquor License and Liquor Manager Designation for Brett Klanecky, 2123 No. Wheeler Avenue.

#2018-31 - Approving the Acquisition of Utility Easements - Golden Age Subdivision - Hall County Housing Authority.

#2018-32 - Approving the Benefits for Water Main District 470T - Hwy. 2 from North Road East about 1/2 Mile.

#2018-33 - Approving Bid Award - Water Main Project 2018-W-3 - Golden Age Subdivision with Van Kirk Brothers Contracting of Sutton, Nebraska in an Amount of \$199,795.07.

#2018-34 - Approving Certificate of Final Completion for the Construction of North Interceptor Phase I; Project No. 2012-S-6 with Merryman Excavation, Inc. of Woodstock, Illinois.

#2018-35 - Approving Bid Award for the 2018 Asphalt Resurfacing Project No. 2018-AC-1 with Gary Smith Construction Co., Inc. of Grand Island, Nebraska in an Amount of \$537,015.05.

#2018-36 - Approving Transferring Irrigated Acres from the City of Grand Island to Marcos A. and Josefina Villanueva (2725 E Seedling Mile Road). This item was pulled from the agenda at the request of the Public Works Department.

#2018-37 - Approving Acquisition of Public Right-of-Way in Windolph's Subdivision (Villanueva). This item was pulled from the agenda at the request of the Public Works Department.

#2018-38 - Approving Acquisition of Sidewalk Easement at 3704 West 13th Street (Richard A. Cash, LLC).

#2018-39 - Approving Temporary Construction Easement for 13th Street Paving Improvements; Project No. 2018-P-1 (Richard A. Cash, LLC).

#2018-40 - Approving Request from St. Mary's Cathedral for Permission to Use City Streets and State Highway for the 2018 Divine Mercy Sunday Procession.

#2018-41 - Approving Award for Consulting Services for Post Construction Storm Water Best Management Practices Master Plan with Felsburg, holt & Ullevig of Lincoln, Nebraska in an Amount not-to-exceed \$84,840.00.

#2018-42 - Approving Request from Grand Island Area Sports Council for Permission to Use City Streets and State Highway for the 2018 Tri-City Triathlon. Discussion was held regarding closing the dog park during the Triathlon. Randy Blair stated they anticipated 100 – 150 participants.

Motion by Stelk, second by Minton to approve Resolution #2018-42. Upon roll call vote, all voted aye. Motion adopted.

#2018-43 - Approving Proposal to Provide Services for Emptying City Park Trash Barrels for Parks Division with Rick's Fertilizing, LLC of Grand Island, Nebraska in an Anticipated Annual Amount of \$45,999.00. This item was pulled from the agenda at the request of the Parks & Recreation Department.

#2018-44 - Approving Bid Award for Purchase of One (1) New Commercial 128" Cut Rotary Turf Mower for Parks Division with Green Line Equipment of Grand Island, Nebraska in an Amount of \$48,514.99.

#2018-45 - Approving Change Order #1 for the Grand Island Veteran's Athletic Field Construction Phase 2 with Nemaha Landscape Construction, Inc. of Lincoln, Nebraska for an Increase of \$21,907.00 and a Revised Contract Amount of \$5,599,255.00.

#2018-46 – Approving Memorandum of Agreement with Lincoln Fire & Rescue. Fire Chief Cory Schmidt reported that Lincoln Fire & Rescue was the sponsoring agency for Nebraska Task Force 1 of the Urban Search and Rescue Response System. The US&R Task Force was created to provide support for large scale disasters in the United States. They specialize in urban search and rescue, disaster recovery, and emergency triage and medicine. Should the US&R Team be activated for response or have required training, any participating GFD members would be considered an employee of FEMA. FEMA would reimburse the City of Grand Island for employee wages as well as overtime costs associated with a team member's absence. Staff recommended approval.

Discussion was held regarding staffing issues. Chief Schmidt commented on the benefits of training.

Motion by Nickerson, second by Fitzke to approve Resolution #2018-46. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Berean Fundamental Church of Grand Island on behalf of Verizon Wireless for a Conditional Use Permit to Erect an 85' Stealth Communication Tower Facility Located at 4116 West Capital Avenue. This item was related to the aforementioned Public Hearing. Jeffrey Skinner representing Verizon commented on the reasons for this location.

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

PAYMENT OF CLAIMS:

Motion by Minton, second by Fitzke to approve the payment of claims for the period of January 24, 2018 through February 13, 2018 for a total amount of \$5,549.304.40. Upon roll call vote, Councilmembers Minton, Steele, Fitzke, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Paulick abstained. Motion adopted.

ADJOURN TO EXECUTIVE SESSION: Motion by Minton, second by Nickerson to adjourn to Executive Session at 8:08 p.m. for the purpose of a strategy session with respect to real estate purchase for the Parks & Recreation Department. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Minton, second by Paulick to return to Regular Session at 9:00 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m.

RaNae Edwards  
City Clerk