



# City of Grand Island

Tuesday, July 10, 2018

Council Session

## Item G-1

**Approving Minutes of June 26, 2018 City Council Regular Meeting**

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
June 26, 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 June 26, 2018. Notice of the meeting was given in *The Grand Island Independent* on June 20, 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, 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, Interim Finance Director William Clingman, City Attorney Jerry Janulewicz, and Public Works Director John Collins.

INVOCATION was given by Pastor Bill Schroeder, Messiah Lutheran Church, 708 North Locust 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.

#2018-BE-4 - Consideration of Determining Benefits for Fonner Park Business Improvement District. Interim Finance Director William Clingman reported that Fonner Park Business Improvement District was created by Ordinance No. 9622 on February 14, 2017. The 2018-2019 Budget provides for special assessments in the amount of \$9.535 per front footage for a total of \$47,025.46. Staff recommended approval for the City Council to determine the benefits of the District.

Motion by Paulick, second by Steele to approve Resolution #2018-BE-4. Upon roll call vote, all voted aye. Motion adopted.

#2018-BE-5 - Consideration of Determining Benefits for South Locust Business Improvement District. Interim Finance Director William Clingman reported that South Locust Street Business Improvement District was created by Ordinance No. 9623 on February 14, 2017. The 2018-2019 Budget provides for special assessments in the amount of \$9.215 per front footage for a total of \$90,787.15. Staff recommended approval for the City Council to determine the benefits of the District.

Motion by Paulick, second by Steele to approve Resolution #2018-BE-5. Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request from MTE, LLC dba Sportsman's Bar, 501 N. Pine Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received from MTE, LLC dba Sportsman's Bar, 501 N. Pine Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 30, 2018; notice to the general public of date, time, and place of hearing published on June 16, 2018; notice to the applicant of date, time, and place of hearing mailed on May 30, 2018; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from the City of Grand Island for a Conditional Use Permit for a Radio Tower for 911 Dispatch located at 1210 N. North Road. Building Department Director Craig Lewis reported that Jon Rosenlund representing the City of Grand Island Emergency Operations Center had submitted an application to allow for the construction of a 90 foot lattice telecommunication tower with a 7 foot antenna for a total height of 97 feet located at 1210 N. North Road. Staff recommended approval. No public testimony was heard.

Public Hearing on Annexation of Property located at 158 W. Wildwood Drive (Rief Acres Subdivision). Regional Planning Director Chad Nabity reported that Catherine Miller, Personal Representative of the Estate of David H. Rief, as owner of the property submitted a plat of Rief Acres Subdivision an Addition to the City of Grand Island. Staff recommended approval. No public testimony was heard.

Public Hearing on Annexation of Property located at 3554 W. Wildwood Drive (Knuth Acres Subdivision). Regional Planning Director Chad Nabity reported that Larry J. and Karen L. Knuth, as owners of the property submitted a plat of Knuth Acres Subdivision an Addition to the City of Grand Island. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Sanitary Sewer Easements in Stehr's Subdivision (A O M Machining, LLC- 2304 Seedling Mile Access Road). Public Works Director John Collins reported that acquisition of a sanitary sewer easement located at 2304 Seedling Mile Access Road was needed to allow access for the construction, operation, maintenance, extension, repair, replacement, and removal of the sanitary sewer main within the easement. Staff recommended approval. No public testimony was heard.

ORDINANCES:

#9686 - Consideration of Annexation of Property Located at the Southwest Corner of North Road and 13th Street (Proposed for Platting as Hanover Third Subdivision) (Third Reading)

Motion by Donaldson, second by Paulick to approve Ordinance #9686 on third and final reading. Upon roll call vote, all voted aye. Motion adopted.

#9687 - Consideration of Annexation of Property Located at 2224 South Stuhr Road (Proposed for Platting as Fonner View Estates Subdivision) (Third Reading) This item was pulled from the agenda at the request of the applicant, William H. Barge.

#9691 - Consideration of Annexation of Property Located at 158 W. Wildwood Drive (Rief Acres Subdivision) (First Reading)

This item was related to the aforementioned Public Hearing.

Motion by Steele, second by Stelk to approve Ordinance #9691 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

#9692 - Consideration of Annexation of Property located at 3554 W. Wildwood Drive (Knuth Acres Subdivision) (First Reading)

This item was related to the aforementioned Public Hearing.

Motion by Stelk, second by Fitzke to approve Ordinance #9692 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

Councilmember Minton moved “that the statutory rules requiring ordinances to be read by title on three different days are suspended and that ordinances numbered:

#9693 - Consideration of Approving Assessments for Fonner Park Business Improvement District

#9694 - Consideration of Approving Assessments for South Locust Business Improvement District

#9695 - Consideration of Repealing Prior Parking Regulation Ordinances

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.

#9693 - Consideration of Approving Assessments for Fonner Park Business Improvement District

This item was related to the aforementioned Board of Equalization.

Motion by Donaldson, second by Minton to approve Ordinance No. 9693.

City Clerk: Ordinance #9693 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 #9693 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 #9693 is declared to be lawfully adopted upon publication as required by law.

#9694 - Consideration of Approving Assessments for South Locust Business Improvement District

This item was related to the aforementioned Board of Equalization.

Motion by Paulick, second by Fitzke to approve Ordinance No. 9694.

City Clerk: Ordinance #9694 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 #9694 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 #9694 is declared to be lawfully adopted upon publication as required by law.

#9695 - Consideration of Repealing Prior Parking Regulation Ordinances

Public Works Director John Collins reported that the Engineering Division of the Public Works Department had completed a review of various parking regulations within the City and found a mixture of ordinances and resolutions created over the years. In order to avoid conflicts it was requested that the City Council repeal any and all ordinances and resolutions. Staff recommended approval.

Mr. Collins answered questions concerning notifying the public regarding the changes to parking.

Motion by Donaldson, second by Hehnke to approve Ordinance No. 9695.

City Clerk: Ordinance #9695 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 #9695 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 #9695 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-9 (Resolution #2018-176) was pulled from the agenda. Consent Agenda item G-23 (Resolution #2018-190) was removed for further discussion. Motion by Paulick, second by Stelk to approve the Consent Agenda excluding item G-. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of June 12, 2018 City Council Regular Meeting.

Approving Minutes of June 19, 2018 City Council Study Session.

Approving Re-Appointments of Ron Depue and Brad Bauer to the Occupational Tax Oversight (Food & Beverage) Committee.

#2018-171 - Approving Request from MTE, LLC dba Sportsman's Bar, 501 N. Pine Street for a Class "C" Liquor License and Liquor Manager Designation for Mikyle Thorne, 301 North 5th Street.

#2018-172 - Approving Final Plat and Subdivision Agreement for Carey Subdivision. It was noted that William & Kristine Carey, owners, had submitted the Final Plat and Subdivision Agreement for Carey Subdivision located north of Bismark Road and west of Stuhr Road for the purpose of creating 2 lots on 4.695 acres.

#2018-173 - Approving Final Plat and Subdivision Agreement for Copper Creek Estates Eleventh Subdivision. It was noted that the Guarantee Group, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Copper Creek Estates Eleventh Subdivision located south of Indian Grass Road and west of Brome Grass Drive for the purpose of creating 8 lots on 1.71 acres.

#2018-174 - Approving Final Plat and Subdivision Agreement for Copper Creek Estates Twelfth Subdivision. It was noted that the Guarantee Group, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Copper Creek Estates Twelfth Subdivision located south of Indian Grass Road and east of Switch Grass Street for the purpose of creating 8 lots on 1.88 acres.

#2018-174 - Approving Final Plat and Subdivision Agreement for Copper Creek Estates Thirteenth Subdivision. It was noted that the Guarantee Group, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Copper Creek Estates Thirteenth Subdivision located south of Indian Grass Road and to the west and east of Buffalo Grass Road for the purpose of creating 13 lots on 3.37 acres.

#2018-176 - Approving Final Plat and Subdivision Agreement for Fonner View Estates Subdivision. This item was pulled from the agenda at the request of the applicant, William H. Barge.

#2018-177 - Approving Final Plat and Subdivision Agreement for Hanover Third Subdivision. It was noted that Raymond O'Connor, The Meadows Apartment Homes, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Hanover Third Subdivision located south of 13<sup>th</sup> Street and west of North Road for the purpose of creating 4 lots on 20.063 acres.

#2018-178 - Approving Final Plat and Subdivision Agreement for Prairieview Plaza Subdivision. It was noted that 4.0 Investments, LLC, by Gordon Glade, owner, had submitted the Final Plat and Subdivision Agreement for Prairieview Plaza Subdivision located north of Husker Highway, west of James Road and east of Prairieview Street for the purpose of creating 4 lots on 6.359 acres.

#2018-179 - Approving Final Plat and Subdivision Agreement for RCI Subdivision. It was noted that Yogeshbhai Bhakta, Manish Bhatt, Mukesh Bhakta, Members RIGI Hospitality, LLC, owners, had submitted the Final Plat and Subdivision Agreement for RCI Subdivision located west of Midaro Drive and east of South Locust Street for the purpose of creating 2 lots on 4.599 acres.

#2018-180 - Approving Change Order #1 - Substation F Wall Replacement with Superior Concrete Products of Eules, Texas for a Reduction of \$3,000.00 and a Revised Contract Amount of \$366,953.50.

#2018-181 - Approving Bid Award for PVC Conduit, Fittings, PME Cabinets, Pole Mount Switches, Poles & Miscellaneous Items with Graybar of Jefferson City, Missouri in an Amount of \$78,154.78; Kriz Davis of Grand Island, Nebraska in an Amount of \$35,874.00; Resco of Ankeny, Iowa in an Amount of \$162,284.50; Dutton-Lainson of Hastings, Nebraska in an Amount of \$132,200.00; and Husker Electric of Lincoln, Nebraska in an Amount of \$8,423.70.

#2018-182 - Approving Change Orders #1 and #2 for the Gas Turbine #3 Modified Hot Gas Path Inspection at Burdick Station with General Electric International, Inc. of Omaha, Nebraska for an Increase of \$50,878.83 and a Revised Contract Amount of \$545,139.83.

#2018-183 - Approving Change Order #1 for Water Main Project 2018-W-1 - 17th Street between Broadwell Avenue and Elm Street with Myers Construction, Inc. of Broken Bow, Nebraska for an Increase of \$26,474.49 and a Revised Contract Amount of \$394,598.33.

#2018-184 - Approving the Letter of Agreement (Change Order #1) with JK Energy Consulting, LLC of Lincoln, Nebraska for an Increase of \$10,000.00 and a Revised Contract Amount of \$71,500.00.

#2018-185 - Approving Bid Award for William Street Paving Improvements; Project No. 2018-P-7 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$153,283.75.

#2018-186 - Approving Acquisition of Sanitary Sewer Easements in Stehr's Subdivision (A O M Machining, LLC- 2304 Seedling Mile Access Road).

#2018-187 - Approving Change Order No. 1 for Sanitary Sewer Manhole Flow Monitoring/Rehabilitation; Project No. 2018-WWTP-2 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$29,488.62 and a Revised Contract Amount of \$235,455.61.

#2018-188 - Approving Change Order No. 3 for Sanitary Sewer Collection System Rehabilitation – Various Locations; Project No. 2017-S-2A with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$37,339.32 and a Revised Contract Amount of \$386,352.11.

#2018-189 - Approving Authorization for Emergency Sanitary Sewer Repair at Division Street and Locust Street with Myers Construction, Inc. of Broken Bow, Nebraska in an Amount of \$74,930.00.

#2018-190 - Approving Updated Parking Regulations. Motion by Nickerson, second by Minton to approve Resolution #2018-190. Upon roll call vote, all voted aye. Motion adopted.

#2018-191 - Approving Authorization for Emergency Sanitary Sewer Repair on the North Interceptor- Seedling Mile Road Area with Myers Construction, Inc. of Broken Bow, Nebraska in an Amount of \$438,456.00

#2018-192 - Approving Amendment No. 11 to the Agreement for Professional Engineering Services entitled "Wastewater Treatment Plant and Collection System Rehabilitation" with Black & Veatch of Kansas City, Missouri at no cost.

#2018-193 - Approving Application for the Nebraska Public Transportation Assistance Program 2018/2019.

#2018-194 - Approving Change Order #1 for EM911 Building Construction Septic Tank & Debris Removal with Chief Construction of Grand Island, Nebraska for an Increase of \$4,717.00.

#### REQUESTS AND REFERRALS:

Consideration of Request from the City of Grand Island for a Conditional Use Permit for a Radio Tower for 911 Dispatch located at 1210 N. North Road. This item was related to the aforementioned Public Hearing. Emergency Management Director Jon Rosenlund answered questions regarding co-locating. He said there would not be room for others to co-locate as they wanted to reserve room for their own use. He stated all the required setbacks had been met for the location of this tower.

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



RESOLUTIONS:

#2018-195 - Consideration of Approving Agreement with Peregrine Service, Inc. of Monroe, Louisiana for Bill Printing and Mailing Services in an Amount of \$34,826.00. Interim Finance Director William Clingman reported that Request for Proposals was received from seven firms. The evaluation committee met with three finalists for interviews. It was determined that Peregrine Services had the most competitive pricing and experience. Staff recommended approval.

Mr. Clingman answered questions concerning inserts. He stated Peregrine would be able to handle those jobs. The City would still generate the bills and send a PDF file where Peregrine would print and mail the utility bills. Tom Stith representing Peregrine Service, Inc. answered questions regarding mailing the bills. Mr. Clingman answered questions concerning vacating a position.

Motion by Donaldson, second by Stelk to approve Resolution #2018-195. Upon roll call vote Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

#2018-196 - Consideration of Approving Proposed Ballot Language for 1/2 Cent Increase to Sales Tax. City Administrator Marlan Ferguson reported that Nebraska State Statutes permitted cities to increase city sales tax to a rate greater than 1 ½ percent. In order to increase the sales tax ½ percent the council was required to pass a resolution by a vote of at least 70 percent of the members of the council to place this on the November ballot. If this measure passed the revenue would be used for infrastructure and would terminate in 10 years.

Zach Moul, 503 Johnson Drive representing the International Association of Firefighters (IAFF) requested this item be postponed. He stated he would like to see the 1/2 percent Sales Tax earmarked for Public Safety.

Cody Harry, 2652 St. Patrick Avenue stated he would like to see the money go back to the General Fund and be used for Public Safety.

Jay Vavricek, 2729 Brentwood Blvd., spoke in opposition.

City Attorney Jerry Janulewicz commented on the ballot language which followed state statutes as to what the funds could be used for. Public Works Director John Collins commented on projects within the next 5 years that we would have to pay for.

Motion by Paulick, second by Stelk to approve Resolution #2018-196.

Discussion was held by Council regarding the timing of this issue and taking this to a Study Session. Comments were made by the Council supporting the delay and having a Study Session to educate the public and explain where the 1/2 percent Sales Tax would be used. Mr. Ferguson stated the Wheel Tax would sunset in September of 2019.

Motion by Nickerson, second by Steele to postpone this item to the July 17, 2018 Study Session. Upon roll call vote, all voted aye. Motion adopted.

#2018-197 - Consideration of Approving an Interlocal Agreement with the CRA. City Administrator Marlan Ferguson reported that Neb. Rev. Stat. §77-27,142 required the city to be a party to an Interlocal agreement with a political subdivision within the city creating a separate legal or administrative entity relating to a public infrastructure project. Concurrent with a resolution to submit to the electorate a proposal to increase the city sales tax rate, City administration was recommending approval of an Interlocal agreement with the Grand Island Community Redevelopment Authority. The Interlocal agreement was approved by the CRA. The Interlocal agreement would be effective upon, and contingent upon, the City's enactment of an ordinance increasing the sales tax rate above 1 ½ percent.

Motion by Nickerson, second by Stelk to postpone Resolution #2018-197 to the July 24, 2018 City Council meeting. 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 June 13, 2018 through June 26, 2018 for a total amount of \$5,640,186.60. Upon roll call vote, Councilmembers Minton, Steele, Fitzke, Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmember Paulick abstained. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:40 p.m.

RaNae Edwards  
City Clerk