



# City of Grand Island

Tuesday, September 11, 2018

Council Session

## Item G-1

### Approving Minutes of August 28, 2018 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 28, 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 August 28, 2018. Notice of the meeting was given in *The Grand Island Independent* on August 22, 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, Finance Director Patrick Brown, City Attorney Jerry Janulewicz, and Assistant Public Works Director Keith Kurz.

INVOCATION was given by Pastor Dick Birr, New Life Community Church, 301 West 2<sup>nd</sup> Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing to Vacate Prairie Commons Subdivision. Regional Planning Director Chad Nability reported that the owners of Prairie Commons Subdivision had requested that the City vacate the Prairie Commons Subdivision to aid the replatting and approval of Prairie Commons Second Subdivision. Vacating and replatting these lots and easements resolve issues with public utilities and utility services as they were installed. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property located South of Capital Avenue and East of Beal Street and North of the Intersection of 12th Street and Lambert Street from R2-Low Density Residential to R3-SL (The Orchard, LLC.). Regional Planning Director Chad Nability reported that Fred Hoppe with Hoppe Homes had requested to rezone approximately 25 acres of land south of Capital Avenue and the outfall ditch and west of the Ord Line Railroad operated by Central Nebraska Railroad. The proposed development would allow a combination of townhomes and row houses to be developed on this site and provide for potential development of the property between St. Paul Road and western edge of this development on the south side of the outfall ditch. Staff recommended approval. Fred Hoppe, 1600 Stoneyhill Road, Lincoln, Nebraska spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement West of U.S. Highway 34 & 281 and North of Schimmer Drive - Ponderosa Lake Estates Homeowners Association. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located west of U.S. Highway 34 and 281 and north of Schimmer Drive was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including water lines. This easement would allow the Utilities Department the rights to access, operate and maintain public utility infrastructure which

provides service to the Ponderosa Estates area. 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:

- #9702 - Consideration of Vacating Prairie Commons Subdivision
- #9703 - Consideration of Vacation of Utility Easement - South of Capital Avenue and just West of the Burlington Northern Railroad Tracks - Lassonde 3rd Subdivision
- #9704 - Consideration of Updating Chapter 15 of the Grand Island City Code Relative to Electricity including Electrical Rates
- #9705 - Consideration of Request to Rezone Property located South of Capital Avenue and East of Beal Street and North of the Intersection of 12th Street and Lambert Street from R2-Low Density Residential to R3-SL (The Orchard, LLC.)

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.

- #9702 - Consideration of Vacating Prairie Commons Subdivision

This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Paulick, second by Stelk to approve Ordinance #9702.

City Clerk: Ordinance #9702 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 #9702 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 #9702 is declared to be lawfully adopted upon publication as required by law.

- #9703 - Consideration of Vacation of Utility Easement - South of Capital Avenue and just West of the Burlington Northern Railroad Tracks - Lassonde 3rd Subdivision

Utilities Director Tim Luchsinger reported that the easement located south of Capital Avenue and just west of the Burlington Northern Railroad tracks was no longer required and needed to be

vacated to allow for construction of a single family house by Habitat for Humanity. Staff recommended approval.

Motion by Donaldson, second by Fitzke to approve Ordinance 9703.

City Clerk: Ordinance #9703 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 #9703 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 #9703 is declared to be lawfully adopted upon publication as required by law.

#9704 - Consideration of Updating Chapter 15 of the Grand Island City Code Relative to Electricity including Electrical Rates

Utilities Director Tim Luchsinger stated the City was required by statute to set rates for its utility customers. Reviewed was the utility's rate structure. Staff recommended approval.

Motion by Minton, second by Nickerson to approve Ordinance No. 9704.

Mr. Luchsinger answered questions regarding residential rates. The Utilities Department was establishing rates to cover the cost of service which was approximately \$1.00 per month increase on the average bill. Mentioned were upcoming improvements for the department. Mayor Jensen asked if the Utilities Department could transfer money into the General Fund for salaries. Mr. Luchsinger said it could not. The Electric Utility paid into the General Fund approximately 5% of total revenues. Cash reserve amount was discussed.

City Clerk: Ordinance #9704 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, Stelk, and Nickerson voted aye. Councilmembers Paulick, Steele, Hehnke, and Haase voted no. Mayor Jensen made the sixth and deciding vote to approve. Motion adopted.

City Clerk: Ordinance #9704 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, Stelk, and Nickerson voted aye. Councilmembers Paulick, Steele, Hehnke, and Haase voted no. Mayor Jensen made the sixth and deciding vote to approve. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9704 is declared to be lawfully adopted upon publication as required by law.

#9705 - Consideration of Request to Rezone Property located South of Capital Avenue and East of Beal Street and North of the Intersection of 12th Street and Lambert Street from R2-Low Density Residential to R3-SL (The Orchard, LLC.)

This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Paulick, second by Donaldson to approve Ordinance #9705.

Discussion was held regarding the housing shortage in Grand Island. Mr. Nabity stated a housing study was needed. Mentioned were 33' wide streets with offset parking.

City Clerk: Ordinance #9705 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 #9705 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 #9705 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of August 21, 2018 City Council Special Meeting.

Approving Appointment of Patrick Brown to the Firefighters and Police Pension Committees.

Approving Request from Jennifer Hansen, 502 West Egypt, Cairo, Nebraska for Liquor Manager Designation with Applebee's Neighborhood Bar & Grill, 721 Diers Avenue.

#2018-245 - Approving License Agreement with Southern Public Power District for Overhead Power Line at Heartland Public Shooting Park.

#2018-246 - Approving Final Plat and Subdivision Agreement for Prairie Commons 2nd Subdivision. It was noted that Prataria Ventures, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Prairie Commons 2<sup>nd</sup> Subdivision located south of Husker Highway and west of U.S. Highway 281 for the purpose of creating 8 lots, 1 outlot on 95.32 acres.

#2018-247 - Approving Change Order #3 for Gas Turbine #3 Modified Hot Gas Path Inspection with General Electric International, Inc. of Omaha, Nebraska for an increase of \$128,923.04 and a Revised Contract Amount of \$674,062.87.

#2018-248 - Approving Bid Award - Precipitator, Bottom Ash & Boiler Industrial Cleaning at Platte Generating Station - Fall 2018 with W-S Industrial Services, Inc. of Council Bluffs, Iowa in an Amount of \$112,804.00.

#2018-249 - Approving Renewal of Machinery, Property Peril, Fire and Terrorism Insurance for 2018-2019 - Utilities Department with Factory Mutual Insurance Company of St. Louis, Missouri in the Amount of \$432,674.00.

#2018-250 - Approving Acquisition of Utility Easement - West of U.S. Highway 34 & 281 and North of Schimmer Drive - Ponderosa Lake Estates Homeowners Association.

#2018-251 - Approving Change Order #1 for Water Distribution System Improvements – 2017 with Myers Construction Inc. of Broken Bow, Nebraska for an Increase of \$74,683.76 and a Revised Contract Amount of \$753,368.99.

#2018-252 - Approving Bid Award for Sycamore Street Underpass Rehabilitation; Project No. 2017-U-1 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$1,794,404.38.

#2018-253 - Approving State Bid Award for One (1) 2018 or Current Production Year Ford Explorer 4x4 from Anderson Auto Group of Lincoln, Nebraska in the Amount of \$29,167.00 and One (1) 2018 or Current Production Year Jeep Cherokee 4x4 from Gene Steffy Auto Group of Fremont, Nebraska in the Amount of \$24,629.00 for the Wastewater Division of the Public Works Department.

#2018-254 - Approving Certificate of Final Completion for the 2018 Asphalt Resurfacing Project No. 2018-AC-2 with Vontz Paving, Inc. of Hastings, Nebraska.

#2018-255 - Approving Change Order No. 1 for the 2018 Asphalt Resurfacing Project No. 2018-AC-1 with Gary Smith Construction Co., Inc. of Grand Island, Nebraska for an Extension from September 15, 2018 to October 31, 2018.

#2018-256 - Approving Change Order No. 1 for 13th Street Paving Improvements; Project No. 2018-P-1 and 13th Street Water Main Improvements; Project No. 2018-W-5 with Blessing Construction of Kearney, Nebraska for an Increase of \$25,247.12 and a Revised Contract Amount of \$2,001,134.55.

#2018-257 - Approving Change Order #2 for EM911 Driveway with Chief Construction of Grand Island, Nebraska for an Increase of \$13,533.00.

#### RESOLUTIONS:

#2018-258 - Consideration of Approving FY 2018-2019 Annual Budget for Railside Business Improvement District and Setting Date for Board of Equalization. Assistance Finance Director William Clingman stated the City had received the assessed values of the individual properties within the Railside Business Improvement District. It was recommended that the Board of

Equalization on the proposed assessments be set for September 25, 2018. Introduced was Amos Anson, Chairman of the Railside Business Improvement District who gave a presentation of the district.

Motion by Donaldson, second by Hehnke to approve Resolution #2018-258. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Paulick to approve the payment of claims for the period of August 15, 2018 through August 28, 2018 for a total amount of \$5,147,603.54. Upon roll call vote, all voted aye.

SPECIAL ITEMS:

Discussion Concerning General Property, Downtown Improvement Parking District #2 (Ramp) and Community Redevelopment Authority (CRA) Tax Request for FY 2018-2019. City Administrator Marlan Ferguson stated this was an opportunity for the Council to comment on the budget. The final hearing would take place at the September 11, 2018 City Council meeting.

ADJOURNMENT: The meeting was adjourned at 8:07 p.m.

RaNae Edwards  
City Clerk