



City of Grand Island

Tuesday, September 25, 2018

Council Session

Item G-1

Approving Minutes of September 11, 2018 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

September 11, 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 September 11, 2018. Notice of the meeting was given in *The Grand Island Independent* on September 5, 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, Jeremey Jones, Julie Hehnke, Linna Dee Donaldson, Vaughn Minton, Roger Steele and Mike Paulick. Councilmembers Chuck Haase and Michelle Fitzke were 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 Paul Canady, True North Church, 1804 West State Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Proposed Changes to Chapter 36 of the Grand Island City Code Specifically Sections §36-50 Zoning District, Use; §36-64.1 (R-3SL) Medium Density-Small Lot Residential; §36-72 (M-1) Light Manufacturing Zone; and §36-73 (M-2) Heavy Manufacturing. Regional Planning Director Chad Nabity explained the changes to Chapter 36 of the Grand Island City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property located East of Ebony Lane between The Sterling Apartments and Sterling Estates Park from R-4 – High Density Residential to R-2 – Low Density Residential (Starostka Group Unlimited). Regional Planning Director Chad Nabity reported that staff was requesting to rezone property proposed for platting as Sterling Estates 10th Subdivision. This property was located north and south of Monarch Avenue, a street that had been built with a width of 32 foot with parking on one side. The proposed change would help insure that the density of units along this stretch of street remained the same as had been proposed by the developers. They intend to build units like the ones to the east and south of this property and the R2 zoning does not impact that plan but would limit any future changes. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 3204 S. Shady Bend Road - Spaulding. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3204 S. Shady Bend 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 install, access, operate and maintain an underground power line, transformers and related electrical infrastructure to serve the new home under construction. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - East Side of Diamond Drive between Warbler Road & Meadow Way Trail - TPRC - Umbrella - Erickson. Utilities Director Tim

Luchsinger reported that acquisition of a utility easement located along the east side of Diamond Drive between Warbler Road and Meadow Way Trail 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 access, operate and maintain electrical infrastructure which provided service to the lots in the Summerfield Estates Tenth Subdivision. 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 and Budget Appropriation for FY 2018-2019. Finance Director Patrick Brown reported that state statutes required the City to conduct a public hearing to set property tax requests. Property tax request for FY 2018-2019 general property tax was \$11,734,634, Parking District No. 2 at \$8,080, and the Community Redevelopment Authority property tax at \$700,008. The levy for the general property tax was .3755 for the 2018-2019 Fiscal Year. 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:

- #9706 - Consideration of Amending Chapter 36 of the Grand Island City Code Specifically Sections §36-50 Zoning District, Use; §36-64.1 (R-3SL) Medium Density-Small Lot Residential; §36-72 (M-1) Light Manufacturing Zone; and §36-73 (M-2) Heavy Manufacturing
- #9707 - Consideration of Request to Rezone Property located East of Ebony Lane between The Sterling Apartments and Sterling Estates Park from R-4 – High Density Residential to R-2 – Low Density Residential (Starostka Group Unlimited)
- #9708 - Consideration of Vacation of a Portion of West 7th Street & Jefferson Street
- #9709 - Consideration of Approving FY 2018-2019 Annual Single City Budget and the Annual Appropriations Bill

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.

- #9706 - Consideration of Amending Chapter 36 of the Grand Island City Code Specifically Sections §36-50 Zoning District, Use; §36-64.1 (R-3SL) Medium Density-Small Lot Residential; §36-72 (M-1) Light Manufacturing Zone; and §36-73 (M-2) Heavy Manufacturing

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

Motion by Donaldson, second by Jones to approve Ordinance #9706.

City Clerk: Ordinance #9706 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 #9706 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 #9706 is declared to be lawfully adopted upon publication as required by law.

#9707 - Consideration of Request to Rezone Property located East of Ebony Lane between The Sterling Apartments and Sterling Estates Park from R-4 – High Density Residential to R-2 – Low Density Residential (Starostka Group Unlimited)

This item was related to the aforementioned Public Hearing. Staff recommended approval. Comments were made regarding the 32' wide street.

Motion by Nickerson, second by Stelk to approve Ordinance #9707.

City Clerk: Ordinance #9707 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 #9707 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 #9707 is declared to be lawfully adopted upon publication as required by law.

#9708 - Consideration of Vacation of a Portion of West 7th Street & Jefferson Street

Public Works Director John Collins stated to allow for the new development of Jefferson Elementary Public School the City had received a request to vacate a portion of West 7th Street, as well as a portion of Jefferson Street. Staff recommended approval.

Motion by Jones, second by Minton to approve Ordinance #9708.

City Clerk: Ordinance #9708 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, Donaldson, Hehnke, Jones, Stelk and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

City Clerk: Ordinance #9708 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, Donaldson, Hehnke, Jones, Stelk and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9708 is declared to be lawfully adopted upon publication as required by law.

#9709 - Consideration of Approving FY 2018-2019 Annual Single City Budget and the Annual Appropriations Bill

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

Motion by Minton, second by Stelk to approve Ordinance #9709.

City Clerk: Ordinance #9709 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, Donaldson, Hehnke, Jones, Stelk and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

City Clerk: Ordinance #9709 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, Donaldson, Hehnke, Jones, Stelk and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9709 is declared to be lawfully adopted upon publication as required by law.

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

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

Approving Appointment of Robin Hendricksen to the Zoning Board of Adjustment.

Approving Appointment of Jaimie Parr to the Library Board.

Approving Re-Appointment of Sue Pirnie to the Community Redevelopment Authority Board.

Approving Re-Appointment of Tony Randone Regional Planning Commission.

Approving Re-Appointments of Gail Yenny, Mike Schuster, and Tom O'Neill to the Citizens Advisory Review Committee.

#2018-259 - Approving Final Plat and Subdivision Agreement for Sterling Estates 10th Subdivision. It was noted that Starostka Group Unlimited, Inc., owner, had submitted the Final Plat and Subdivision Agreement for Sterling Estates 10th Subdivision located north of Sterling Estates Park between Sunrise Avenue and Ebony Lane for the purpose of creating 28 lots on 4.919 acres.

#2018-260 - Approving Final Plat and Subdivision Agreement for GIPS Jefferson Second Subdivision. It was noted that Hall County District 2, owner, had submitted the Final Plat and

Subdivision Agreement for GIPS Jefferson Second Subdivision located between Broadwell Avenue and Adams Street, south of Eighth Street for the purpose of creating 2 lots on 5.507 acres.

#2018-261 - Approving Final Plat and Subdivision Agreement for King's Crossing Subdivision. It was noted that R2S2, LLC, owner, had submitted the Final Plat and Subdivision Agreement for King's Crossing Subdivision located west of Locust Street at the southwest corner of the intersection of Locust and Husker Highway for the purpose of creating 3 lots on 6.275 acres.

#2018-262 - Approving Acquisition of Utility Easements - 3204 S. Shady Bend Road – Spaulding.

#2018-263 - Approving Acquisition of Utility Easement - East Side of Diamond Drive between Warbler Road and Meadow Way Trail - TPRC - Umbrella – Erickson.

#2018-264 - Approving Certificate of Final Completion for Water Distribution System Improvements – 2017 with Myers Construction, Inc. of Broken Bow, Nebraska.

#2018-265 - Approving the Setting of the Board of Equalization Date Hearing for Water Main District 430T - Newly Subdivided Lots One (1) and Two (2), Carey Subdivision.

#2018-266 - Approving Amendment #1 to the Agreement between the City of Grand Island Utilities Department and Tenaska.

#2018-267 - Approving Change Order #1 for Water Main District 471T - North Side of Hwy 34, East of the Locust Street Intersection with Van Kirk Brothers Contracting of Sutton, Nebraska for an Increase of \$1,634.80 and a Revised Contract Amount of \$143,390.60.

#2018-268 - Approving Change Order #1 for Water Main Project 2018-W-2 - Ingalls & Louise Streets & Yund, Cherry & Division Streets with The Diamond Engineering Company of Grand Island, Nebraska for a Deduct of \$1,004.21 and a Revised Contract Amount of \$208,045.24.

#2018-269 - Approving Change Order No. 3 for Lift Station No. 11 Relocation – 2018; Project No. 2018-S-1 with Midlands Contracting, Inc. of Kearney, Nebraska for an Increase of \$8,780.80 and a Revised Contract Amount of \$1,640,788.45.

#2018-270 - Approving Change Order No. 1 for Cell 3 Liner and Leachate System at the Grand Island Regional Landfill with Van Kirk Bros. Contracting of Sutton, Nebraska for a Decrease in the Amount of \$20,095.60 and a Revised Contract Amount of \$3,073,054.40.

#2018-271 - Approving Employee Assistance Program Contract Renewal with Family Resources of Greater Nebraska, P.C. of Grand Island, Nebraska in an Amount of \$13,000.00.

#2018-272 – Approving Change Order No. 3 for Grand Island Veteran's Athletic Fields – Phase 2 Construction with Nemaha Landscape Construction, Inc. of Lincoln, Nebraska for an Increase of \$124,409.23 and a Revised Contract Amount of \$5,744,580.16.

#2018-272 – Approving Change Order No. 4 for Grand Island Veteran’s Athletic Fields – Phase 2 Construction with Nemaha Landscape Construction, Inc. of Lincoln, Nebraska for an Increase of \$37,372.94 and a Revised Contract Amount of \$5,781,953.10.

RESOLUTIONS:

#2018-274 - Consideration of Approving General Property, Downtown Improvement Parking District #2 (Ramp) and Community Redevelopment Authority (CRA) Tax Request for FY 2018-2019. This item was related to the aforementioned Public Hearing.

Motion by Minton, second by Paulick to approve Resolution #2018-274. Upon roll call vote, all voted aye. Motion adopted.

#2018-275 - Consideration of Approving 1% Increase to the Restricted Revenues Lid Limit. Finance Director Patrick Brown 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 2018-2019 State of Nebraska budget report would increase the prior year restricted revenues base by \$312,728.99. 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 Nickerson to approve Resolution #2018-275. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Donaldson to approve the payment of claims for the period of August 29, 2018 through September 11, 2018 for a total amount of \$6,871.623.15. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 7:31 p.m.

RaNae Edwards
City Clerk