



City of Grand Island

Tuesday, October 9, 2018

Council Session - Updated

Item G-1

Approving Minutes of September 25, 2018 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
September 25, 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 25, 2018. Notice of the meeting was given in *The Grand Island Independent* on September 19, 2018.

Mayor Jeremy L. Jensen called the meeting to order at 7:00 p.m. The following City Council members were present: Mitch Nickerson, Chuck Haase, Jeremy Jones, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele and Mike Paulick. Councilmember Mark Stelk 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 Mayor Jensen followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Presentation of the Food & Beverage Occupation Tax Oversight Committee 2018 Annual Report. Chairman Ron Depue presented the 2018 Annual Report of the Food & Beverage Occupation Tax Oversight Committee.

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

#2018-BE-6 - Consideration of Determining Benefits for Railside Business Improvement District. Finance Director Patrick Brown reported that the City Council in its capacity as the Board of Equalization was required to determine the benefits for Railside BID. Special assessments were for the amount of \$115,601.18 (70%) or \$116,177.20 (100%). Presented were two Resolutions with the 70% and 100% assessment for owner occupied residents. Staff recommended approval of the 70% assessments.

Jan Placke, 1606 18th Street, Central City spoke in opposition.

Motion by Donaldson, second by Haase to approve Resolution #2018-BE-6 (B). Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request from Bosselman Pump & Pantry, Inc. dba Tommy Gunz Bistro/Tommy Gunz Liquor Warehouse, 1607 South Locust Street, Suite B, Grand Island,

Nebraska for a Reconstruction to Class “CKG-121718” Liquor License. City Clerk RaNae Edwards reported that an application for a reconstruction/addition to the Class “CKG-121718” Liquor License had been received from Bosselman Pump & Pantry, Inc. dba Tommy Gunz Bistro/Tommy Gunz Liquor Warehouse, 1607 South Locust Street, Suite B. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on September 11, 2018; notice to the general public of date, time, and place of hearing published on September 15, 2018; notice to the applicant of date, time, and place of hearing mailed on September 11, 2018; along with Chapter 4 of the City Code. The request was to add to the current license a 70’ x 120’ area to the south of their current building for a banquet hall, kitchen and bathrooms and a 20’ x 50’ outdoor patio area. Staff recommended approval contingent upon final inspections. Brandi Bosselman, 1607 South Locust Street, Suite B spoke in support. No further public testimony was heard.

Public Hearing on Request from Steadfast Builders, LLC for a Conditional Use Permit for Parking a Temporary Food Truck on the South Side of the Building located at 1504 N. Eddy Street. Building Department Director Craig Lewis reported that a request had been made for approval to continue to place a mobile food trailer on the south side of the building located at 1504 North Eddy Street for three years. Staff recommended approval for one year. Herbert Portio, 1504 N. Eddy 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 ordinance numbered:

#9710 - Consideration of Approving Assessments for Railside Business Improvement District

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 this ordinance 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.

This item was related to the aforementioned Board of Equalization. Staff recommended approval. Amos Anson, 4234 Arizona Avenue stated Railside BID would be willing to answer questions from Ms. Placke if she would contact the office.

Motion by Donaldson, second by Hehnke to approve Ordinance #9710 (B).

City Clerk: Ordinance #9710 (B) 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 #9710 (B) 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 #9710 (B) is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-12 (Resolution #2018-284) and G-13 (Resolution #2018-285) was removed for further discussion. Motion by Paulick, second by Hehnke to approve the Consent Agenda excluding items G-12 and G-13. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of September 11, 2018 City Council Regular Meeting.

Receipt of Official Document – Tort Claim filed by Phillip E. Smith.

Approving Garbage Permits for Heartland Disposal and Mid-Nebraska Disposal, Inc. and Refuse Permits for Full Circle Rolloffs and O’Neill Transportation and Equipment LLC.

#2018-276 - Approving Bosselman Pump & Pantry, Inc. dba Tommy Gunz Bistro/Tommy Gunz Liquor Warehouse, 1607 South Locust Street, Suite B, Grand Island, Nebraska for a Reconstruction to Class “CKG-121718” Liquor License.

#2018-277 - Approving Agreement with Grand Island Area Clean Community Systems for FY 2018-2019 in an Amount of \$27,500.00.

#2018-278 - Approving Boiler Chemical Cleaning Consulting Services with M & M Engineering Associates of Lender, Texas in an Amount of \$53,245.00.

#2018-279 - Approving Bid Award for Purchase of Sulfuric Acid with Telemetry Program with Univar USA of Omaha, Nebraska in an Estimated Amount of \$98,237.49.

#2018-280 - Approving Certificate of Final Completion for Water Main Project 2018-W-2 - Ingalls & Louise Streets & Yund, Cherry and Division Streets with The Diamond Engineering Company of Grand Island, Nebraska.

#2018-281 - Approving Certificate of Final Completion for Water Main District 471T - Hwy. 34 & Locust Street area; and Setting the Board of Equalization meeting for October 23, 2018 with Van Kirk Brothers Contracting of Sutton, Nebraska.

#2018-282 - Approving Change Order No. 2 for Sanitary Sewer Manhole Flow Monitoring/Rehabilitation; Project No. 2018-WWTP-2 with The Diamond Engineering Company of Grand Island, Nebraska for a Revised Completion Date of October 5, 2018.

#2018-283 - Approving Bid Award for Drainage Ditch Grading, Excavating, and Hauling 2018-2019 with Harders Dozer and Scraper, LLC of Cairo, Nebraska and Starostka Group Unlimited, Inc. of Grand Island, Nebraska.

#2018-284 - Approving Change Order No. 2 for CDBG Contract 2016-4 Small Business Rental Assistance with the Downtown Business Improvement District for a Revised Completion Date of December 31, 2020. Amber Alvidrez, Community Development Coordinator state this change order was for the extension of the grant to December 31, 2020. Discussion was held regarding who benefited from these grants and how they could apply for one. Executive Director for the Downtown BID, Cara Lemburg explained the grant process and stated they had awarded three grants in the Downtown BID area and were hoping to award six more with this extension.

Motion by Haase, second by Fitzke to approve Resolution #2018-284. Upon roll call vote, all voted aye. Motion adopted.

#2018-285 - Approving Proposal for Repair/Replace Roof at the Old National Guard Armory Building with Scarborough Construction, Inc. of Grand Island, Nebraska in an Amount of \$81,394.00. Parks and Recreation Director reported that a Request for Proposals was issued with three contractors presenting proposals. Staff recommended accepting the proposal from Scarborough Construction, Inc. of Grand Island, Nebraska in the amount of \$81,394.00. Funding would be provided by the City Capital Project KENO dollars.

Paul Wicht, 1708 Jerry Drive spoke in opposition.

Motion by Haase, second by Minton to approve Resolution #2018-285. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Haase, and Nickerson voted aye. Councilmembers Paulick, Hehnke, and Jones voted no. Motion adopted.

#2018-286 - Approving Change Order No. 3 for EM911 Facility: Drainage with Chief Construction of Grand Island, Nebraska for an Increase of \$5,141.00 and a Revised Contract Amount of \$1,146,112.00.

#2018-287 - Approving Annual Payment for Utility Billing Software Support with N. Harris Computer Corporation dba Advanced Utility Systems in an Amount of \$76,787.03.

REQUESTS AND REFERRALS:

Consideration of Request from Steadfast Builders, LLC for a Conditional Use Permit for Parking a Temporary Food Truck on the South Side of the Building located at 1504 N. Eddy Street. This item was related to the aforementioned Public Hearing. Discussion was held regarding extending this request for one year only. Building Department Director Craig Lewis answered questions concerning food trucks, City Code requirements, regulations and zoning for this area.

Motion by Nickerson, second by Paulick to approve the request for one year only. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2018-288 - Consideration of Approving the 2019 City of Grand Island Fee Schedule. Finance Director Patrick Brown stated the 2018-2019 fee schedule had been incorporated into the 2018-2019 Budget that was passed at the September 11, 2018 City Council meeting. Comments were made by Council regarding raising the fees to capture the costs.

Motion by Haase, second by Minton to approve Resolution #2018-288. Upon roll call vote, all voted aye. Motion adopted.

#2018-289 – Consideration of Creating a 2018 Half Cent Sales Tax Oversight Committee. City Attorney Jerry Janulewicz reported that on November 6, 2018 general election, the electorate of Grand Island would be voting upon a ballot question to increase the local sales and use tax rate by an additional one-half of one percent (1/2%) from the current rate of one and one-half percent (1 1/2%) to a rate of two percent (2%). The Mayor and City Administration proposed that by this resolution an oversight committee be established, if in fact the electorate passed the proposed ballot question. The committee would be established by ordinance. The function of the committee would be to advise the public and city officials with regard to the city's additional half cent sales tax, confirm that the tax revenues are accounted for in the designated special revenue funds and were being expended on eligible projects as provided by city ordinance. This committee would be similar in nature as the Food and Beverage Tax Oversight Committee which had been very successful. Staff recommended approval.

Ray O'Connor, 611 Fleetwood Road spoke in support of the one-half percent sales tax. Discussion was held regarding the administration of the funds if passed in the November Election.

Motion by Donaldson, second by Hehnke to approve Resolution #2018-289. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Jones, and Nickerson voted aye. Councilmembers Paulick and Haase voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Fitzke to approve the payment of claims for the period of September 12, 2018 through September 25, 2018 for a total amount of \$7,958,345.79. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:05 p.m.

RaNae Edwards
City Clerk