



City of Grand Island

Tuesday, November 6, 2018

Council Session

Item G-1

Approving Minutes of October 23, 2018 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
October 23, 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 October 23, 2018. Notice of the meeting was given in *The Grand Island Independent* on October 17, 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, Finance Director Patrick Brown, City Attorney Jerry Janulewicz, and Public Works Director John Collins.

INVOCATION was given by Father Jim Golka, St. Mary's Cathedral, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

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

#2018-BE-7 - Consideration of Determining Benefits for Lots One (1) and Two (2) in new Subdivided Carey Subdivision in Water Main District 430T - Stuhr Road and Bismark. Utilities Director Tim Luchsinger reported that Water Main District 430T was originally created in 2000 for installation of municipal water mains along Stuhr Road between Swift Road and Bismark Road, and along Bismark Road from Stuhr Road to Cherry Street. Lot One (1) had recently been re-subdivided as Lot One (1) and Lot Two (2) Carey Subdivision. It was recommended the connection fee be proportionally split between the current two lots with new connection fees.

Motion by Haase, second by Paulick to approve Resolution #2018-BE-7. Upon roll call vote, all voted aye. Motion adopted.

#2018-BE-8 - Consideration of Determining Benefits for Water Main District 471T - Hwy. 34 & Locust Street. Utilities Director Tim Luchsinger reported that Water Main District 471T provided for a 20" diameter water main to be extended under Highway 34 and an 8" diameter main installed along the north side of Highway 34, east of the Locust Street intersection. The recommended connection fees for the properties within the district's boundary was \$51,744.19.

Motion by Haase, second by Donaldson to approve Resolution #2018-BE-8. 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 Franco Entertainment, LLC dba Level Up Bar and Arcade, 115-117 West 3rd Street for a Class "I" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "I" Liquor License had been received from Franco Entertainment, LLC dba Level Up Bar and Arcade, 115-117 West 3rd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on September 18, 2018; notice to the general public of date, time, and place of hearing published on October 13, 2018; notice to the applicant of date, time, and place of hearing mailed on September 25, 2018; along with Chapter 4 of the City Code. Staff recommended forwarding a no recommendation to the Liquor Control Commission. Mark Porto, Attorney for the applicant, 233 North Locust Street spoke in support. No further public testimony was heard.

Public Hearing on Request from Azteca Market, LLC dba Azteca Market, 103 West 3rd Street for a Class "D" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "D" Liquor License had been received from Azteca Market, LLC dba Azteca Market, 103 West 3rd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on September 18, 2018; notice to the general public of date, time, and place of hearing published on October 13, 2018; notice to the applicant of date, time, and place of hearing mailed on September 25, 2018; along with Chapter 4 of the City Code. Staff recommended forwarding a no recommendation to the Liquor Control Commission. Mark Porto, Attorney for the applicant, 233 North Locust Street spoke in support. No further public testimony was heard.

Public Hearing on Request from Franco Entertainment, LLC dba The Brick House, 115-117 West 3rd Street for a Change of Location for Class "I-119813" Liquor License to 103 West 3rd Street. City Clerk RaNae Edwards reported that an application for a change of location for the Class "I-119813" Liquor License had been received from Franco Entertainment, LLC dba The Brick House, 115-117 West 3rd Street to 103 West 3rd Street. 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 October 13, 2018; notice to the applicant of date, time, and place of hearing mailed on September 25, 2018; along with Chapter 4 of the City Code. Staff recommended forwarding a no recommendation to the Liquor Control Commission. Mark Porto, Attorney for the applicant, 233 North Locust Street spoke in support. No further public testimony was heard.

Public Hearing on Request to Rezone Property located at 4055 Trust Street from RD- Residential Development to Amended RD – Residential Development (The Evangelical Lutheran Good Samaritan Society). Regional Planning Director Chad Nabity reported that the Evangelical Lutheran Good Samaritan Society of Sioux Falls, South Dakota proposed to build up to 30 units of apartments to a perimeter building with 52 units of apartments. The development provides dwelling units for retirement age persons ranging from independent living to skilled care. Staff recommended approval. No public Testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan for CRA No. 1 located at 411 West 3rd Street (Paramount Development, LLC). Regional Planning Director Chad Nabity reported

that Paramount Development LLC had submitted an application for tax increment financing to aid in the redevelopment of property to prepare for the construction of 4 upper floor apartments and necessary exiting in westerly portion of the old Sears building at 411 West 3rd Street. Staff had prepared a redevelopment plan for this property consistent with the TIF application. Staff recommended approval. Fon Depue, 308 North Locust Street spoke in support. No further public Testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan for CRA No. 2 located on a Portion of the Vacant Property Southwest of South Locust Street and U.S. Highway 34 (Grand Island Hotels, LLC). Regional Planning Director Chad Nabity reported that Grand Island Hotels LLC had submitted an application for tax increment financing to aid in the redevelopment of property to prepare for the construction of a 79 unit Comfort Suites Hotel south of U.S. Highway 34 and west of Locust Street. Staff had prepared a redevelopment plan for this property consistent with the TIF application. Staff recommended approval. Ron Depue, 308 North Locust Street and Bruce Shriner, 2535 North Carleton spoke in support. No further public Testimony was heard.

Public Hearing on Declaring CRA Area #27 Blighted and Substandard located between Elm and Cleburn Street and 6th and 7th Streets (Keystone Properties). Regional Planning Director Chad Nabity reported that Andrew Marsh of Keystone Properties commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 27. The study focused on one city block of property, approximately 2.85 acres, located between 6th and 7th Streets and Elm and Cleburn Streets. Mr. Marsh had recently purchased this property with the intent of demolishing the current structure and building a new structure in its place. Staff recommended approval. Keith Marvin, David City spoke in support. No further public Testimony was heard.

Public Hearing on Acquisition of Sanitary Sewer Easement in Concept Subdivision (1723 E 4th Street- Ummel) and Ummelville Second Subdivision (1919 E 4th Street- Ummel). Public Works Director John Collins reported that a sanitary sewer easements was needed to provide access to sanitary sewer with further development of the Concept Subdivision and Ummelville Second Subdivision areas. The easement would allow access for the construction, operation, maintenance, extension, repair, replacement, and removal of sanitary sewer main within the easement. The new easement would be a total of twenty (20) feet wide. 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:

#9711 - Consideration of Request to Rezone Property located at 4055 Trust Street from RD- Residential Development to Amended RD – Residential Development (The Evangelical Lutheran Good Samaritan Society)

#9712 – Consideration of Amendments to Chapter 15 of the Grand Island City Code Relative to Electricity

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.

#9711 - Consideration of Request to Rezone Property located at 4055 Trust Street from RD- Residential Development to Amended RD – Residential Development (The Evangelical Lutheran Good Samaritan Society)

This item was related to the aforementioned Public Hearing. Staff recommended approval. Comments were made regarding the narrow road and parking.

Motion by Stelk, second by Nickerson to approve Ordinance #9711.

City Clerk: Ordinance #9711 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 #9711 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 #9711 is declared to be lawfully adopted upon publication as required by law.

#9712 – Consideration of Amendments to Chapter 15 of the Grand Island City Code Relative to Electricity

Building Department Director Craig Lewis reported that this request was to modify the City Code by revising Section 15-6 (A) Provisions for Metering. The current provisions allowed for electric meters to be located on the principal building or meter pedestals. The proposed revisions would allow the location of electric meters to be modified with prior approval. Staff recommended approval.

Motion by Paulick, second by Hehnke to approve Ordinance #9712.

City Clerk: Ordinance #9712 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 #9712 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 #9712 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of October 9, 2018 City Council Regular Meeting.

Approving Minutes of October 16, 2018 City Council Study Session.

Approving Re-Appointments of Hector Rubio, Robin Hendricksen, and Tony Randone to the Interjurisdictional Planning Commission.

#2018-302 - Approving City Council Meeting Schedule for 2019.

#2018-303 - Approving Final Plat and Subdivision Agreement for Ummelville Third Subdivision. It was noted that Tommy Ummel, Sr., owner, had submitted the Final Plat and Subdivision Agreement for Ummelville Third Subdivision located west of Sky Park Road between 4th Street and the Union Pacific Railroad for the purpose of creating 2 lots on 2.11 acres of land.

#2018-304 - Approving Change Order No. 1 to Edith Abbott Memorial Library Renovation with Cheever Construction of Lincoln, Nebraska for an Increase of \$3,365.93 and a Revised Contract Amount of \$1,125,765.93.

#2018-305 - Approving Tap Fees for Lots One (1) and Two (2) in newly subdivided Carey Subdivision in Water Main District 430T - Bismark & Stuhr Road.

#2018-306 - Approving Tap Fees for Water Main District 471T - Highway 34 and Locust Street.

#2018-307 - Approving Bid Award for Burdick Station Gas Turbine Control System with ABB, Inc. of Cleveland, Ohio in an Amount of \$799,371.42.

#2018-308 - Approving Burdick Cooling Water System Engineering Services with JEO Consulting Group, Inc. of Grand Island, Nebraska in an Amount not-to-exceed \$128,000.00.

#2018-309 - Approving Bid Award for Continuous Emissions Mercury Monitoring at Platte Generating Station with Ohio Lumex Company of Solon, Ohio in an Amount of \$166,900.00.

#2018-310 - Approving Bid Award for Fuel Oil Pipe and Tank Cleaning with J & L Pipeline Services, Inc. of Tipton, Iowa in an Amount of \$177,551.36.

#2018-311 - Approving Interlocal Cooperation Agreement for a Joint Aerial Photo Project between Hall County and the City of Grand Island.

#2018-312 - Approving Acquisition of Sanitary Sewer Easement in Concept Subdivision (1723 E 4th Street- Ummel) and Ummelville Second Subdivision (1919 E 4th Street- Ummel).

#2018-313 - Approving Amendment No. 1 to Engineering Consulting Services Related to Lift Station No. 20 Upgrade and Force Main Rehabilitation & Abandonment of Lift Station No. 14; Project No. 2017-S-1 with Olsson Associates of Grand Island, Nebraska for an Increase of \$13,000.00 and a Revised Contract Amount of \$312,864.00.

#2018-314 - Approving Authorization for Emergency Sanitary Sewer Repair on the North Interceptor- Seedling Mile Road Area Change Order No. 1 with Myers Construction, Inc. of Broken Bow, Nebraska for an Increase of \$33,901.60 and a Revised Contract Amount of \$472,357.60.

#2018-315 - Approving Amendment No. 1 to Engineering Consulting Services Related to Emergency Sanitary Sewer Repair on the North Interceptor- Seedling Mile Road Area with Olsson Associates of Grand Island, Nebraska for an Increase of @.050.00 and a Revised Contract Amount of \$42,250.00.

#2018-316 - Approving Agreement with NDOT-Intermodal Planning Division for the Grand Island Area Metropolitan Planning Organization (GIAMPO) for the 2019 Fiscal Year TRANSIT, Section 5305, Transportation Planning Program.

#2018-317 - Approving Certificate of Final Completion for the 2018 Asphalt Resurfacing Project No. 2018-AC-1 with Gary Smith Construction Co., Inc. of Grand Island, Nebraska.

#2018-318 - Approving Purchase of One (1) 2019 D8 Tracked Dozer with Waste Handler Arrangement for the Solid Waste Division of the Public Works Department from NMC of Omaha, Nebraska in an Amount of \$847,055.00.

#2018-319 - Approving Skid Steer Buy-Back for Streets Division of the Public Works Department from Central Nebraska Bobcat of Grand Island, Nebraska with trade-in for a Net Purchase Price of \$5,065.04.

#2018-320 - Approving Change Order #1 for Design and Construction Management Services at the Veteran's Sports Complex - Phase II with Olsson Associates of Grand Island, Nebraska for an Increase of \$120,600.00 and a Revised Contract Amount of \$495,600.00.

#2018-321 - Approving Purchase and Delivery of Infield Soil Conditioner - Ashley Park with Dakota Transport, Inc. of Hampton, Minnesota in an Amount of \$43,500.00.

RESOLUTIONS:

#2018-322 - Consideration of Request from Franco Entertainment, LLC dba Level Up Bar and Arcade, 115-117 West 3rd Street for a Class "I" Liquor License and Liquor Manager Designation for Maria Garcia, 644 E. Meves. This item was related to the aforementioned Public Hearing. Building Director Craig Lewis and State Fire Marshall Fred Hotz recommended a no recommendation due to work being done and inspections expected in the near future.

Motion by Nickerson, second by Minton to forward to the Nebraska Liquor Control Commission with no recommendation Resolution #2018-322. Upon roll call vote, all voted aye. Motion adopted.

#2018-323 - Consideration of Request from Azteca Market, LLC dba Azteca Market, 103 West 3rd Street for a Class "D" Liquor License and Liquor Manager Designation for Maria Garcia, 644 E. Meves. This item was related to the aforementioned Public Hearing.

Motion by Nickerson, second by Donaldson to forward to the Nebraska Liquor Control Commission with no recommendation to Resolution #2018-323. Upon roll call vote, all voted aye. Motion adopted.

#2018-324 - Consideration of Request from Franco Entertainment, LLC dba The Brick House, 115-117 West 3rd Street for a Change of Location for Class "I-119813" Liquor License to 103 West 3rd Street. This item was related to the aforementioned Public Hearing.

Motion by Nickerson, second by Paulick to forward to the Nebraska Liquor Control Commission with no recommendation Resolution #2018-324. Upon roll call vote, all voted aye. Motion adopted.

#2018-325 - Consideration of Amendment to the Redevelopment Plan for CRA No. 1 located at 411 West 3rd Street (Paramount Development, LLC). This item was related to the aforementioned Public Hearing.

Motion by Donaldson, second by Minton to approve Resolution #2018-325. Upon roll call vote, all voted aye. Motion adopted.

#2018-326 - Consideration of Amendment to the Redevelopment Plan for CRA No. 2 located on a Portion of the Vacant Property Southwest of South Locust Street and U.S. Highway 34 (Grand Island Hotels, LLC). This item was related to the aforementioned Public Hearing. Discussion was held regarding whether we were short of hotel space. Mr. Nabity stated at times we were and that there was a community need.

Motion by Nickerson, second by Paulick to approve Resolution #2018-326. Upon roll call vote, all voted aye. Motion adopted.

#2018-327 - Consideration of Declaring CRA Area #27 Blighted and Substandard located between Elm and Cleburn Street and 6th and 7th Streets (Keystone Properties). This item was related to the aforementioned Public Hearing. Mr. Nabity stated a multi family residential building would be built at this location.

Motion by Stelk, second by Donaldson to approve Resolution #2018-327. 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 October 10, 2018 through October 23, 2018 for a total amount of \$4,540,170.08. Upon roll call vote, all voted aye. Motion adopted.

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

RaNae Edwards
City Clerk