



City of Grand Island

Tuesday, August 21, 2018

Special Meeting

Item G-1

Approving Minutes of August 14, 2018 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 14, 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 14, 2018. Notice of the meeting was given in *The Grand Island Independent* on August 8, 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 Public Works Director John Collins.

INVOCATION was given by Pastor Donald Adams, Evangelical Free Church, 2609 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement at 2405 S. North Road - Chief Industries. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2405 S. North 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 a new underground power line and related electrical infrastructure in an area more beneficial to the City and the property owner. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 3134 U.S. Highway 34 - Central Community College. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3134 U.S. Highway 34 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 the underground power line and related equipment which provides service to the remodeled Center for Health and Technical Sciences buildings. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility/Access Easements in Desert Rose Subdivision (3235 S Locust St- Community Redevelopment Authority for the City of Grand Island, Nebraska). Public Works Director John Collins reported utility easements were needed to allow for development in the area north of US Highway 34 and east of South Locust Street. These easements would allow access for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the area. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way in Desert Rose Subdivision (3235 S Locust St- Community Redevelopment Authority for the City of Grand Island, Nebraska). Public Works Director John Collins reported acquisition of right-of-way located at 3235 South Locust Street was needed to allow further development of the surrounding area with public access. This acquisition also secures access to the apartment complex from Exchange Road, while preserving the street frontage along South Locust Street and US Highway 34. Staff recommended approval. No public testimony was heard.

Public Hearing on Establishing Railside Business Improvement District. Assistant Finance Director William Clingman reported that the Downtown Business Improvement District 2013 was established for a period of five years and would expire on September 30, 2018. It was recommended to re-create the district and change the name to Railside Business Improvement District effective October 1, 2018. Reviewed was their budget and project proposal. Staff recommended approval. Yolanda (Jodi) Powers, 123 No. Locust Street stated she didn't like the name change. Amos Anson, 4234 Arizona Avenue 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 ordinances numbered:

- #9698 - Consideration of Vacation of Utility Easements - Lot 2, CBC Subdivision - 2405 S. North Road - Chief Industries
- #9699 - Consideration of Vacation of Utility Easement - 3134 West U.S. Highway 34 - Central Community College
- #9700 - Consideration of Establishing 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 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.

- #9698 - Consideration of Vacation of Utility Easements - Lot 2, CBC Subdivision - 2405 S. North Road - Chief Industries

Utilities Director Tim Luchsinger reported that an area located at 2405 S. North Road had undergone development and the property modified, usage of parts of the easements were no longer required. Staff recommended approval.

Motion by Paulick, second by Stelk to approve Ordinance No. 9698.

City Clerk: Ordinance #9698 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 #9698 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 #9698 is declared to be lawfully adopted upon publication as required by law.

#9699 - Consideration of Vacation of Utility Easement - 3134 West U.S. Highway 34 - Central Community College

Utilities Director Tim Luchsinger reported that the easement located at 3134 West U.S. Highway 34 was no longer required and needed to be vacated for the building expansion to proceed. Staff recommended approval.

Motion by Stelk, second by Minton to approve Ordinance No. 9699.

City Clerk: Ordinance #9699 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 #9699 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 #9699 is declared to be lawfully adopted upon publication as required by law.

#9700 - Consideration of Establishing Railside Business Improvement District

This item was related to the aforementioned Public Hearing. Amos Anson explained how the name was changed from Downtown BID to Railside BID.

Motion by Donaldson, second by Paulick to approve Ordinance No. 9700.

City Clerk: Ordinance #9700 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 #9700 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 #9700 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of July 24, 2018 City Council Regular Meeting.

Approving Minutes of July 30, 2018 City Council Joint Health Meeting.

Approving Minutes of August 7, 2018 City Council Study Session.

Approving Request of Fonner Park Exposition and Events Center, Inc. (Heartland Events Center) for Ratification of Nomination and Election of Board of Directors.

Approving Re-Appointment of Doug Jensen to the Animal Advisory Board.

#2018-225 - Approving Preliminary and Final Plat and Subdivision Agreement for Industrial Foundation Subdivision. It was noted that PVIPE, LLC, owner, had submitted the Preliminary Plat, Final Plat and Subdivision Agreement for Industrial Foundation Subdivision located south of Schimmer Drive and west of Blaine Street for the purpose of creating 11 lots (preliminary) on one outlot 57.32 acres and 6 lots (final) on one outlot 21.52 acres.

#2018-226 - Approving Final Plat and Subdivision Agreement for Jensen Subdivision. It was noted that Douglas D. Jensen, owner, had submitted the Final Plat and Subdivision Agreement for Jensen Subdivision located north of Capital Avenue and west of Webb Road for the purpose of creating 1 lot on 1 acre.

#2018-227 - Approving Final Plat and Subdivision Agreement for Woodland Park 17th Subdivision. It was noted that Hastings Ventures, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Woodland Park 17th Subdivision located south of Iowa Avenue between Idaho and Independence Avenues for the purpose of creating 3 lots on 0.666 acres.

#2018-228 - Approving Acquisition of Utility Easement - 2405 S. North Road - Chief Industries.

#2018-229 - Approving Acquisition of Utility Easement - 3134 U.S. Highway 34 - Central Community College.

#2018-230 - Approving Bid Award - Four Drum Puller/Tensioner Trailer - Utilities Department, Line Division from Brooks Brothers Trailer of Troy, Missouri in an Amount of \$138,950.00.

#2018-231 - Approving Change Order #1 for the Elevated Water Storage Tower NACE Coating Inspection Services with REOD, LLC of Florissant, Missouri for a not-to-exceed amount of \$31,550.00 and a Revised Contract Amount of \$93,970.00.

#2018-232 - Approving Change Order #2 for the Composite Elevated Storage Tank Construction with Landmark Structures of Fort Worth, Texas for an Increase of \$36,640.98 and a Revised Contract Amount of \$3,593,095.98.

#2018-233 - Approving Bid Award for WAS Tank Blower Replacement; Project No. 2018-WWTP-1 with Andrews Electric Co., Inc. of Geneva, Nebraska in an Amount of \$111,298.00.

#2018-234 - Approving Acquisition of Public Utility/Access Easements in Desert Rose Subdivision (3235 S Locust St- Community Redevelopment Authority for the City of Grand Island, Nebraska).

#2018-235 - Approving Acquisition of Public Right-of-Way in Desert Rose Subdivision (3235 S Locust St- Community Redevelopment Authority for the City of Grand Island, Nebraska).

#2018-236 - Approving State Bid Award for One (1) 2018 F550 Crew Cab 4x2 Service Truck for the Wastewater Division of the Public Works Department with Anderson Auto Group of Lincoln, Nebraska in an Amount of \$154,395.00.

#2018-237 - Approving Certificate of Final Completion for Chip Seal Project No. 2018-CS-1 with Topkote, Inc. of Yankton, South Dakota.

#2018-238 - Approving Purchase of Dell Laptop Computers and Docking Stations for Police Fleet off State Bid from Dell Marketing, LP of Round Rock, Texas in an Amount of \$23,959.80.

#2018-239 - Approving Annual Agreement for Financial Software Licensing and Support with Tyler Technologies, Inc. in an Amount of \$182,689.67.

REQUEST AND REFERRALS:

Consideration of Forwarding Blighted and Substandard Area #27 to the Hall County Regional Planning Commission (Keystone Properties). Regional Planning Director Chad Nabity reported that Andrew Marsh has submitted a Substandard and Blight Study for one city block approximately 2.85 acres located between Cleburn and Elm Streets for residential development. It was his intent to rebuild on this site using TIF to cover the costs of acquisition and demolition. Staff recommended forwarding this request to the Planning Commission.

Keith Marvin with Marvin Planning Consultants from David City, Nebraska spoke in support. Discussion was held regarding the demolition of the house and the use of TIF financing. Andy Marsh, 2706 Pioneer Boulevard stated he had contacted a contractor to demo the house as soon as this was approved by the City Council.

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

RESOLUTIONS:

#2018-240 - Consideration of Approving Update to Resolution No. 2015-120; Designated Truck Routes within the City of Grand Island. Public Works Director John Collins reported that complaints of trucks engine breaking and speeding on Capital Avenue had been persistent, but unverifiable. Public Works had analyzed this and recommended that Capital Avenue from

Broadwell Avenue to east City limits be removed from the list of designated truck routes. Mr. Collins stated the truck route would be changed by signage and enforced by the Police.

Motion by Paulick, second by Donaldson to approve Resolution #2018-240. Upon roll call vote, all voted aye. 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 Maul, 503 Johnson Drive representing the IAFF spoke in support and stated they wanted clarification on how the money was going to be used. Jay Vavricek, 2729 Brentwood Boulevard and Alex Batenhorst, 112 West 19th Street spoke in opposition.

Billy Clingman explained the restricted fund part of the ballot language. John Collins commented on upcoming projects and the amount the City would have to pay for each. Comments were made regarding full disclosure/accountability of where the money was spent if this passed.

Motion by Minton, second by Nickerson to approve Resolution #2018-196. Upon roll call vote, all voted aye. Motion adopted.

#2018-197 - Consideration of Approving an Interlocal Agreement with the CRA. 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.

Jay Vavricek, 2729 Brentwood Boulevard had questions regarding the agreement. City Attorney Jerry Janulewicz explained why this agreement was necessary.

Motion by Donaldson, second by Fitzke to approve Resolution #2018-197.

Motion by Haase, second by Nickerson to amend the agreement as to Section 3 – Duration by deleting “until both parties agree to terminate this Agreement” and add “the City Council”. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

Upon roll call vote of the main motion, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Fitzke to approve the payment of claims for the period of July 25, 2018 through August 14, 2018 for a total amount of \$6,532,473.90. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Motion adopted.

SPECIAL ITEMS:

Discussion Concerning Proposed Fiscal Year 2018-2019 Community Redevelopment Authority (CRA) Budget. Regional Planning Director Chad Nabity presented the 2018-2019 Community Redevelopment Authority (CRA) budget and reviewed the responsibilities of the CRA. Discussion was held regarding the Fire, Life Safety and Infrastructure grants.

ADJOURN TO EXECUTIVE SESSION: Motion by Minton, second by Hehnke to adjourn to Executive Session at 9:11 p.m. for the purpose of a strategy session with respect to labor negotiations with IBEW No. 1597 Service/Clerical and Finance. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Haase, second by Nickerson to return to Regular Session at 9:35 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:36 p.m.

RaNae Edwards
City Clerk