



City of Grand Island

Tuesday, January 22, 2019

Council Session

Item G-1

Approving Minutes of January 8, 2019 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

January 8, 2019

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 January 8, 2019. Notice of the meeting was given in *The Grand Island Independent* on January 2, 2019.

Mayor Roger G. Steele called the meeting to order at 7:00 p.m. The following City Council members were present: Michelle Fitzke, Mark Stelk, Jason Conley, Vaughn Minton, Clay Schutz, Julie Hehnke, Mitch Nickerson, and Chuck Haase. Councilmember Jeremy Jones and Mike Paulick 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 Public Works Director John Collins.

INVOCATION was given by Pastor Bill Pavuk, St. Pauls Lutheran Church, 1515 South Harrison Street followed by the PLEDGE OF ALLEGIANCE.

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

#2019-BE-1 - Consideration of Determining Benefits for Sanitary Sewer District No. 540T; West US Highway 30 and Engleman Road/West Park Plaza Sanitary Sewer Extension. Public Works Director John Collins reported that Sanitary Sewer District No. 540T was completed. Total project cost equates to \$1,071,845.30, of which \$707,067.31 was eligible to be used to calculate the connection fees for properties within the district. The remaining costs were City responsibility and were associated with the West US Highway 30 and Engleman Road portion of this project (2017-S-3). Staff recommended approval.

Michael Sands, 1700 Farnum Street, Omaha, Nebraska on behalf of Ascentia spoke in support. Jerry Poels, 3418 So. Deann Road wanted to know what the benefit was in hooking up to the sewer district.

Motion by Minton, second by Stelk to approve Resolution #2019-BE-1. Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Request from Curl Curl, LLC dba Bonzai Beach Club, 107 No. Walnut Street for a Catering Designation to Class "C-46038" Liquor License. City Clerk RaNae Edwards reported that an application for a catering designation to Class "C-46038" Liquor License had been received from Curl Curl, LLC dba Bonzai Beach Club, 107 No. Walnut Street. Ms.

Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on December 17, 2018; notice to the general public of date, time, and place of hearing published on December 29, 2018; notice to the applicant of date, time, and place of hearing mailed on December 20, 2018; along with Chapter 4 of the City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Request from Sin City, LLC dba Sin City Grill, 410 West 3rd Street for a Catering Designation to Class "C-88667" Liquor License. City Clerk RaNae Edwards reported that an application for a catering designation to Class "C-88667" Liquor License had been received from Sin City, LLC dba Sin City Grill, 410 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 December 17, 2018; notice to the general public of date, time, and place of hearing published on December 29, 2018; notice to the applicant of date, time, and place of hearing mailed on December 20, 2018; along with Chapter 4 of the City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Applications Received for Operation of Private Parking Facilities, Establishing Vehicle Offstreet Parking District No. 3, and Disestablishing Parking District No. 1. City Attorney Jerry Janulewicz reported that if adopted, the ordinance would accomplish the following: Establish Vehicle Offstreet Parking District No. 3; disestablish the Downtown Improvement and Parking District (Parking District No. 1) and repeal relevant city code sections; and transfer 2018-19 budget authority from Parking District No. 1 to Vehicle Offstreet Parking District No. 3. Staff recommended approval. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility (Water) Easement - Lot Thirteen (13) Bosselman Brothers Subdivision - 2030 East Highway 30 (CIK Investments, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility water easement located at 2030 East Highway 30 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 to install, access, operate and maintain the water infrastructures at this location for Midwest Truck Wash. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility (Electrical) Easement - Lot Nine (9), Bosselman Brothers Subdivision - 2030 East Highway 30 (CIK Investments, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility electrical easement located at 2030 East Highway 30 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 a pad-mounted transformer to provide service to the new Midwest Truck Wash building. The proposed easement would also allow the department to install, access, operate and maintain the electrical infrastructure at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 121 S. Pine (County of Hall, State of Nebraska). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 121 S. Pine Street 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 electrical infrastructure at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 4586 Gold Core Drive (GMD, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4586 Gold Core Drive 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 electrical infrastructure at this location for Bimbo Bakery. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 411 S. Webb Road (Grand Island Commercial Ventures, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 411 S. Webb 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, transformer and related electrical infrastructure to serve the new business under construction. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 3515 N. Highway 281 (Donald and Kandy Mustion). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3515 N. Highway 281 was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Tilley Sprinkler Systems and Landscaping is upgrading an existing facility located at 3515 N. Highway 281. As part of the work, the Utilities Department needed to re-route the existing three-phase overhead power line and install a pad-mounted transformer to provide service to the upgraded building. The proposed easement would allow the department to install, access, operate and maintain the electrical infrastructure at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - West Side of US Highway 281 and South of Rae Road (Ponderosa Lake Estates Subdivision Homeowners Assoc., Inc.). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located on the west side of US Highway 281 and south of Rae Road was needed in order to have access to install, upgrade, maintain, and repair electric utilities and appurtenances. This easement would provide a pathway for a new underground powerline that would replace the existing overhead power line along the west side of Highway 281. The new power line would provide service for the future commercial area south of Rae Road and would provide electrical feeder capacity to the Prairie Commons Subdivision area currently being developed. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - Lot One (1), Ponderosa Lake Estates 7th Subdivision (Prataria Ventures, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located on the west side of Highway 281 and south of Rae Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement is one of three that would provide a pathway for a new underground powerline that would replace the existing overhead power line along the west side

of Highway 281. The new power line would provide service for the future commercial area south of Rae Road, and would provide electrical feeder capacity to the Prairie Commons Subdivision area currently being developed. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - Lots Three (3) & Four (4), Ponderosa Village Subdivision (Prataria Ventures, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located on the west side of Highway 281 and south of Rae Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement is one of three that would provide a pathway for a new underground powerline that would replace the existing overhead power line along the west side of Highway 281. The new power line would provide service for the future commercial area south of Rae Road, and would provide electrical feeder capacity to the Prairie Commons Subdivision area currently being developed. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 204 S. Cedar Street (St. Mary's Church). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 204 S. Cedar Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. St. Mary's Church is upgrading their electrical service to the church and rectory building. As part of the work, the Utilities Department needs to install a three-phase pad-mounted transformer to provide electric service for the upgrade. The proposed easement would allow the department to install, access, operate and maintain the electrical infrastructure at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Sidewalk Easement at 1221 N Beal Street (English/Buchanan). Public Works Director John Collins reported that acquisition of a sidewalk easement was needed at the southeast corner of Beal Street and 13th Street to accommodate the curb ramp at this intersection. The property owner had signed the necessary document to grant a public sidewalk easement. Staff recommended approval. No public testimony was heard.

Public Hearing on One & Six Year Street Improvement Plan. Public Works Director John Collins reported that the One & Six Year Street Improvement Plan consists of the transportation projects in the Capital Improvement Program and was mandatory by State Law as part of the requirements to receive approximately five million dollars of state gas tax funds each year. The Public Works Department developed this program through a process to prioritize street projects taking into consideration many factors. A PowerPoint presentation was given. 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 ordinance numbered:

#9718 - Consideration of Establishing Vehicle Offstreet Parking District No. 3

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 Public Hearing.

City Attorney Jerry Janulewicz stated no protests had been filed. Benefits were discussed. Amos Anson, 4234 Arizona Avenue spoke in support.

Motion by Haase, second by Stelk to approve Ordinance #9718.

City Clerk: Ordinance #9718 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 #9718 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 Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9718 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-23 (Resolution #2019-19) was pulled from the agenda for further discussion. Motion by Minton, second by Fitzke to approve the Consent Agenda excluding item G-23. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of December 18, 2018 City Council Regular Meeting.

Approving Re-Appointments to the Electrical Board.

Approving Re-Appointments to the Mechanical Examining Board.

Approving Re-Appointments to the Plumbing Board.

#2019-1 - Approving Request from Curl Curl, LLC dba Bonzai Beach Club, 107 No. Walnut Street for a Catering Designation to Class “C-46038” Liquor License.

#2019-2 - Approving Request from Sin City, LLC dba Sin City Grill, 410 West 3rd Street for a Catering Designation to Class “C-88667” Liquor License.

#2019-3 - Approving Acquisition of Utility (Water) Easement - through a part of Lot Thirteen (13), Bosselman Brothers Subdivision - 2030 East Highway 30 (CIK Investments).

#2019-4 - Approving Acquisition of Utility (Electrical) Easement - through a part of Lot Nine (9), Bosselman Brothers Subdivision - 2030 East Highway 30) (CIK Investments, LLC).

#2019-5 - Approving Acquisition of Utility Easement - 121 S. Pine Street (County of Hall, State of Nebraska).

#2019-6 - Approving Acquisition of Utility Easement - 4586 Gold Core Drive (GMD, LLC).

#2019-7 - Approving Acquisition of Utility Easement - 411 S. Webb Road (Grand Island Commercial Ventures, LLC).

#2019-8 - Approving Acquisition of Utility Easement - 3515 N. Highway 281 (Donald and Kandy Mustion).

#2019-9 - Approving Acquisition of Utility Easement - West Side of US Highway 281 and South of Rae Road (Ponderosa Lake Estates Subdivision Homeowners Assoc., Inc.).

#2019-10 - Approving Acquisition of Utility Easement - Lot One (1) Ponderosa Lake Estates 7th Subdivision (Prataria Ventures, LLC).

#2019-11 - Approving Acquisition of Utility Easement - Lot Three (3) and Lot Four (4), Ponderosa Village Ventures, LLC (Prataria Ventures, LLC).

#2019-12 - Approving Acquisition of Utility Easement - 204 S. Cedar Street (St. Mary's Church).

#2019-13 - Approving Purchase of Distribution Transformers with ERMCO, Inc., of Iowa City, Iowa and Graybar Electric Company, Inc., of Omaha, Nebraska.

#2019-14 - Approving Purchase of Power and Concentric Neutral Cable with Wesco Distribution, Inc. of Grand Island, Nebraska.

#2019-15 - Approving Proposal for Effluent Limitation Guidelines and Bottom Ash Transport Water Assessment Services with Fith Infrastructure & Environment, LLC of Peoria, Illinois in an Amount of \$133,622.00.

#2019-16 - Approving Change Order #1 - Water Main Project 2018-W-3 - Golden Age Subdivision with Van Kirk Brothers Contracting of Sutton, Nebraska for an Increase of \$10,216.43 and a Revised Contract Amount of \$210,011.50.

#2019-17 - Approving Re-Allocation of FTE - Utilities Civil Engineering Manager to Utilities Civil Engineer I/II/Sr.

#2019-18 - Approving Acquisition of Sidewalk Easement at 1221 N Beal Street (English/Buchanan).

#2019-19 - Approving Benefits for Sanitary Sewer District No. 540T; West US Highway 30 and Engleman Road/West Park Plaza Sanitary Sewer Extension.

Motion by Haase, second by Fitzke to approve Resolution #2019-19. Upon roll call vote, all voted aye. Motion adopted.

#2019-20 - Approving the Certificate of Compliance with the Nebraska Department of Transportation for Maintenance Agreement No. 12; Calendar Year 2018.

#2019-21 - Approving Change Order No. 4 for Lift Station No. 20 Upgrade and Force Main Rehabilitation & Lift Station No. 14 Abandonment; Project No. 2017-S-1 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$29,657.48 and a Revised Contract Amount of \$2,433,753.54.

#2019-22 - Approving Change Order No. 2 for Cell 3 Liner and Leachate System at the Grand Island Regional Landfill with Van Kirk Bros. Contracting of Sutton, Nebraska for a Decrease of \$49,433.23 and a Revised Contract Amount of \$3,023,621.17.

#2019-23 - Approving Amendment No. 3 for Engineering Services Related to Cell 3 Liner Construction at the Grand Island Regional Landfill with HDR Engineering, Inc. of Omaha, Nebraska for an Increase of \$81,690.00 and a Revised Contract Amount of \$421,600.00.

#2019-24 - Approved Change Order No. 4 on the EM911 Facility with Chief Construction of Grand Island, Nebraska for an Increase of \$4,996.00 and a Revised Contract Amount of \$3,151,108.00.

#2019-25 - Approving Purchase of Emergency Operations Center Equipment & Furniture from Eakes Office Solutions of Grand Island, Nebraska in the amount of \$26,649.36.

RESOLUTIONS:

#2019-26 - Consideration of Approving the One & Six Year Street Improvement Plan. This item was related to the aforementioned Public Hearing. Staff recommended approval. Jerry Poels, 341 South Deann Road commented on the round-a-bouts.

Motion by Nickerson, second by Minton to approve Resolution #2019-26. Upon roll call vote, all voted aye. Motion adopted.

#2019-27 - Consideration of Setting the Date for Board of Equalization for Parking District Number 3. This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Haase, second by Stelk to approve Resolution #2019-27. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Schutz to approve the payment of claims for the period of December 19, 2018 through January 8, 2019 for a total amount of \$3,951,365.21. Upon roll call vote, all voted aye. Motion adopted.

ADJOURN TO EXECUTIVE SESSION: Motion by Minton, second by Hehnke to adjourn to Executive Session at 8:10 p.m. for the purpose of a strategy session with respect to the Veteran's Home Phase II Property Acquisition. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Minton, second by Fitzke to return to Regular Session at 8:58 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:59 p.m.

RaNae Edwards
City Clerk