



City of Grand Island

Tuesday, April 23, 2019

Council Session

Item G-1

Approving Minutes of April 9, 2019 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

April 9, 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 April 9, 2019. Notice of the meeting was given in *The Grand Island Independent* on April 3, 2019.

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

PUBLIC HEARINGS:

Public Hearing on Request from Luisa M. Lovato dba Ritmos Nightclub, 611 East 4th Street for a Change of Location for Class "I-108549" Liquor License to 316 East 2nd Street. City Clerk RaNae Edwards reported that an application for a change of address to Class "I-108549" Liquor License had been received from Luisa M. Lovato dba Ritmos Nightclub, 611 East 4th Street to 316 East 2nd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 26, 2019; notice to the general public of date, time, and place of hearing published on March 30, 2019; notice to the applicant of date, time, and place of hearing mailed on March 26, 2019; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Tom Wagoner, Attorney for the applicant spoke in support. No further public testimony was heard.

Public Hearing on Request from Jarhead, Inc. dba Texas T-Bone Steakhouse, 1027 E. Bismark Road for a Change of Location for Class "C-111559" Liquor License to 1600 South Locust Street. City Clerk RaNae Edwards reported that an application for a change of address to Class "C-111559" Liquor License had been received from Jarhead, Inc. dba Texas T-Bone Steakhouse, 1027 E. Bismark Road to 1600 South Locust Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 22, 2019; notice to the general public of date, time, and place of hearing published on March 30, 2019; notice to the applicant of date, time, and place of hearing mailed on March 26, 2019; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from Luis Jacobo dba Tucan Express, 2120-2124 N. Webb Road for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application Class "C"

Liquor License had been received from Luis Jacobo dba Tucan Express, 2120-2124 N. Webb Road. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 22, 2019; notice to the general public of date, time, and place of hearing published on March 30, 2019; notice to the applicant of date, time, and place of hearing mailed on March 26, 2019; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and completion of an alcohol server/seller training program. No public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan for CRA No. 1 located at 304 West Third Street (Amur Real Estate I). Regional Planning Director Chad Nabity reported that Amur Real Estate I had submitted an application for tax increment financing to aid in the redevelopment of property on 304-306 West 3rd Street at the Wells Fargo Building. The proposal would redevelop commercial space throughout the building, including the removal of asbestos and update the facade. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 1405 W. Koenig (Bosselman Properties, Inc.). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1405 W. Koenig was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including power 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 - 2620 W. Faidley Avenue (Saint Francis Medical Center). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2620 W. Faidley Avenue was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including power 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 Permanent Utility Easement for Sanitary Sewer District No. 543; Willow Street at 511 Congdon Avenue (Weinrich Development, Inc.) and 515 Congdon Avenue (Galvan). Public Works Director John Collins reported that public utility easements were needed to accommodate the extension of sanitary sewer to serve an area previously unserved north of 4th Street and east of Congdon Avenue. The public utility easements would allow for the construction, operation, maintenance, extension, repair, replacement, and removal of sanitary sewer within the easements. 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:

#9724 - Consideration of Approving Request to Rezone Property located at 200 East Hwy 34 from RD – Residential Development to Amended RD Residential Development (Talon Apartments) (Second and Final Reading)

#9725 - Consideration of Creation of Sidewalk District No. 1- 2019; 13th Street

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 Hehnke seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

#9724 - Consideration of Approving Request to Rezone Property located at 200 East Hwy 34 from RD – Residential Development to Amended RD Residential Development (Talon Apartments) (Second and Final Reading)

Regional Planning Director reported that this Ordinance was read on first reading at the March 26, 2019 City Council meeting.

Motion by Stelk, second by Schutz to approve Ordinance #9724.

City Clerk: Ordinance #9724 on second reading. All those in favor of the passage of this ordinance on second, answer roll call vote. Upon roll call vote, Councilmembers Haase, Nickerson, Schutz, Hehnke, Minton, Conley, Stelk, and Jones voted aye. Councilmember Paulick voted no. Motion adopted.

City Clerk: Ordinance #9724 on final reading. All those in favor of the passage of this ordinance on final reading, answer roll call vote. Upon roll call vote, Councilmembers Haase, Nickerson, Schutz, Hehnke, Minton, Conley, Stelk, and Jones voted aye. Councilmember Paulick voted no. Motion adopted.

Mayor Steele: By reason of the roll call votes on second and final readings, Ordinance #9724 is declared to be lawfully adopted upon publication as required by law.

#9725 - Consideration of Creation of Sidewalk District No. 1- 2019; 13th Street

Public Works Director John Collins reported that the boundary for the proposed district was selected in order to provide a safe walking path for students to Westridge Middle School. The new sidewalk would be approximately 985.00 feet in length. Staff recommended approval.

Motion by Nickerson, second by Paulick to approve Ordinance #9725.

City Clerk: Ordinance #9725 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 #9725 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 #9725 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-18 (Resolution #2019-133) was pulled from the agenda at the request of Menards, Inc. Items G-3 and G-16 (Resolution #2019-131) was pulled for further discussion. Motion by Paulick, second by Jones to approve the Consent Agenda excluding items G-3, G-16, and G-18. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of March 26, 2019 City Council Regular Meeting.

Approving Minutes of April 2, 2019 City Council Study Session.

Approving Preliminary Plat for The Orchard Subdivision. It was noted that The Orchard/Hoppe Home PC, owner, had submitted the Preliminary Plat for The Orchard Subdivision located south of Capital Avenue and the outfall ditch and west of the Central Nebraska Railroad line north of 12th Street for the purpose of creating 180 lots on 25 acres.

Discussion was held regarding the 32' streets and offsetting driveways. Fred Hoppe, 1600 Stoneyhill Road, Lincoln, Nebraska answered questions and stated there would be a Homeowners Association and the homes would have basements.

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

#2019-119 - Approving Request from Luisa M. Lovato dba Ritmos Nightclub, 611 East 4th Street for a Change of Location for Class "I-108549" Liquor License to 316 East 2nd Street.

#2019-120 - Approving Request from Jarhead, Inc. dba Texas T-Bone Steakhouse, 1027 E. Bismark Road for a Change of Location for Class "C-111559" Liquor License to 1600 South Locust Street.

#2019-121 - Approving Request from Luis Jacobo dba Tucan Express, 2120-2124 N. Webb Road for a Class "C" Liquor License.

#2019-122 - Approving Purchase of Dell Laptops and Docking Stations for Patrol Fleet from Dell, Inc. of Round Rock, Texas in an Amount of \$25,978.50.

#2019-123 - Approving Acquisition of Utility Easement - 1405 W. Koenig - Bosselman Properties, Inc..

#2019-124 - Approving Acquisition of Utility Easement - 2620 W. Faidley Avenue - Saint Francis Medical Center.

#2019-125 - Approving Acquisition of Permanent Utility Easement for Sanitary Sewer District No. 543; Willow Street at 511 Congdon Avenue (Weinrich Development, Inc.) and 515 Congdon Avenue (Galvan).

#2019-126 - Approving Temporary Construction Easement for Sanitary Sewer District No. 543; Willow Street at 511 Congdon Avenue (Weinrich Development, Inc.), 515 Congdon Avenue (Galvan), and 611 Willow Street (JH Holdings, Inc.).

#2019-127 - Approving Berkshire Hathaway Home Services Da-Ly Realty for Real Estate Broker Services for the Sale of 3231 West Schimmer Drive (Parcel No. 400401746).

#2019-128 - Approving Bid Award for Curb Ramp Project No. 2019-CR-2 CDBG with Galvan Construction, Inc. of Grand Island, Nebraska in an Amount of \$152,212.00.

#2019-129 - Approving Bid Award for Curb Ramp Project No. 2019-CR-1 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$119,098.00.

#2019-130 - Approving Agreement for Traffic Engineering Services – Traffic Study Various Locations with Olsson, Inc. of Lincoln, Nebraska in an Amount of \$55,285.59.

#2019-131 - Approving Public Transportation Interlocal Agreement with Hall County. Transit Program Manager Charley Falmlen updated the Council on the Transit Program.

Motion by Nickerson, second by Minton to approve Resolution #2019-131. Upon roll call vote, all voted aye. Motion adopted.

#2019-132 - Approving Purchase of 2019 Chevrolet Malibu for Building Department from Husker Auto Group of Lincoln, Nebraska in an Amount of \$17,457.00.

#2019-133 - Approving Development Agreement with Menard, Inc. for Fire Station No. 4. This item was pulled from the agenda at the request of Menards.

#2019-101 - Approving Preliminary Plat, Final Plat and Subdivision Agreement for Talon Apartments Second Subdivision. It was noted that Talon Apartments, Inc., owners, had submitted the Final Plat and Subdivision Agreement for Talon Apartments Second Subdivision located north of U.S. Highway 34 and east of South Locust Street for the purpose of creating 14 lots on 13.820 acres.

RESOLUTIONS:

#2019-134 - Consideration of Amendment to the Redevelopment Plan for CRA No. 1 located at 304 West Third Street (Amur Real Estate 1). This item was related to the aforementioned Public Hearing.

Motion by Paulick, second by Minton to approve Resolution #2019-134. Upon roll call vote, all voted aye. Motion adopted.

#2019-135 - Consideration of Referring Un-annexed Area of the Central Nebraska Veterans Home Property to the City Council for Consideration of Annexation. Regional Planning Director Chad Nabity reported that portions of the Central Nebraska Veteran's Home property had been previously annexed but one portion north of the railroad tracks and west of Eagle Scout Park and the Veteran's Ball Fields remained outside the city limits. The City of Grand Island as the owner of the property in question may petition the City Council to consider annexation. Staff recommended approval of the annexation.

Discussion was held regarding the taxes on the farm ground. City Attorney Jerry Janulewicz explained the cash rent on this property.

Motion by Haase, second by Minton to approve Resolution #2019-135. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Hehnke to approve the payment of claims for the period of March 26, 2019 through April 9, 2019 for a total amount of \$3,856,406.90. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 7:40 p.m.

RaNae Edwards
City Clerk