



# **City of Grand Island**

**Tuesday, May 14, 2019**  
**Council Session/Budget Work Session**

## **Item G-1**

### **Approving Minutes of April 23, 2019 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

## CITY OF GRAND ISLAND, NEBRASKA

### MINUTES OF CITY COUNCIL REGULAR MEETING

April 23, 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 23, 2019. Notice of the meeting was given in *The Grand Island Independent* on April 17, 2019.

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

INVOCATION was given by Pastor Scott Jones, Third City Christian Church, 4100 West 13<sup>th</sup> Street followed by the PLEDGE OF ALLEGIANCE.

#### PUBLIC HEARINGS:

Public Hearing on Request from Spirit in the Sky, LLC dba 40 North Tap & Grille, 520 West 3rd Street for a Class "IK" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "IK" Liquor License had been received from Spirit in the Sky, LLC dba 40 North Tap & Grille, 520 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 March 29, 2019; notice to the general public of date, time, and place of hearing published on April 13, 2019; notice to the applicant of date, time, and place of hearing mailed on March 29, 2019; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Jay Vavricek, 2729 Brentwood Blvd. spoke in support. No further public testimony was heard.

Public Hearing on Request to Rezone Property located South of Wildwood Drive and East of US Highway 281 from TA – Transitional Agriculture to B2 – General Business (GIAEDC Station 31, LLC). Regional Planning Director Chad Nabity reported that Station 31, LLC had submitted a plat that combined the Lewis Greenscape property with the house and the farm ground into a single lot for development. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property located North of the Wood River between Ponderosa Drive and US Highway 281 from RD – Residential Development to RO – Residential Office (Prataria Ventures, LLC). Regional Planning Director Chad Nabity reported that Prataria Ventures, LLC had submitted a final plat for this property that would incorporate Outlot C1 into a single lot with the other Prataria property. Staff recommended approval. No public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan for CRA No. 1 located at 221-223 West Third Street – Greenburgers Building (Wald Properties, LLC). Regional Planning Director Chad Nabity reported that Wald 12 Properties, LLC had submitted an application for tax

increment financing to aid in the redevelopment of property on the 221-223 West 3rd Street the Greenburgers Building. The proposal would redevelop commercial space in the basement, main floor and rooftop with five one bedroom apartments on the second floor. Staff recommended approval. Amos Anson, 4234 Arizona Avenue and Tommy Wald, 461 Sandlewood Drive spoke in support. No further public testimony was heard.

Public Hearing on Request from Stephen & Deborah Spaulding for an Extension of a Conditional Use Permit to Allow for Construction of a House while living in the Existing Double-wide Trailer located at 3204 So. Shady Bend Road. Building Department Director Craig Lewis reported that Stephen and Deborah Spaulding had submitted an application to extend their current Conditional Use Permit to June 1, 2019 as construction had taken more time than originally anticipated. Staff recommended an expiration date for the new conditional use permit appears reasonable for August 15, 2019 or within 90 days after a certificate of occupancy is issued for the new dwelling. Stephen Spaulding, 3204 South Shady Bend Road 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:

#9726 - Consideration of Approving Request to Rezone Property located South of Wildwood Drive and East of US Highway 281 from TA – Transitional Agriculture to B2 – General Business (GIAEDC Station 31, LLC)

#9727 - Consideration of Approving Request to Rezone Property located North of the Wood River between Ponderosa Drive and US Highway 281 from RD – Residential Development to RO – Residential Office (Prataria Ventures, LLC)

#9731 - Consideration of Vacating a Portion of James Road within Ponderosa Lake Estates Fourth Subdivision

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.

#9726 - Consideration of Approving Request to Rezone Property located South of Wildwood Drive and East of US Highway 281 from TA – Transitional Agriculture to B2 – General Business (GIAEDC Station 31, LLC)

This item related to the aforementioned Public Hearing.

Motion by Minton, second by Fitzke to approve Ordinance #9726.

City Clerk: Ordinance #9726 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 #9726 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 #9726 is declared to be lawfully adopted upon publication as required by law.

#9727 - Consideration of Approving Request to Rezone Property located North of the Wood River between Ponderosa Drive and US Highway 281 from RD – Residential Development to RO – Residential Office (Prataria Ventures, LLC)

This item related to the aforementioned Public Hearing.

Motion by Schutz, second by Hehnke to approve Ordinance #9727.

City Clerk: Ordinance #9727 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 #9727 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 #9727 is declared to be lawfully adopted upon publication as required by law.

#9731 - Consideration of Vacating a Portion of James Road within Ponderosa Lake Estates Fourth Subdivision

Public Works Director John Collins reported that construction of the Grand Island Regional Hospital was currently underway with expected completion in the Fall of 2019. The requested vacation of a portion of James Road would allow for further development of the hospital site. Staff recommended approval

Motion by Stelk, second by Nickerson to approve Ordinance #9731.

City Clerk: Ordinance #9731 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 #9731 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 #9731 is declared to be lawfully adopted upon publication as required by law.

**#9728 - Consideration of Approving Annexation of Property Located East of U.S. Highway 281 and South of Wildwood Drive (Lewis Greenscape) (First Reading)**

Regional Planning Director Chad Nabity reported that Station 31, LLC, owner of the property had petitioned the City of Grand Island to consider annexation of this property. Staff recommended approval.

Motion by Stelk, second by Fitzke to approve Ordinance #9728 on first reading.

City Clerk: Ordinance #9728 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.

**#9729 - Consideration of Approving Annexation of Property Located West of North Road and South of 13th Street (Ray Stander) (First Reading)**

Regional Planning Director Chad Nabity reported that Ray Stander, owner of the property had petitioned the City of Grand Island to consider annexation of this property. Staff recommended approval.

Motion by Minton, second by Paulick to approve Ordinance #9729 on first reading.

City Clerk: Ordinance #9729 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.

**#9730 - Consideration of Approving Annexation of Property Located between U.S. Highway 281 and Old Nebraska Highway 2, West of Eagle Scout Park (City of Grand Island) (First Reading)**

Regional Planning Director Chad Nabity reported that the City of Grand Island, owner of property had petitioned the City of Grand Island to consider annexation of this property. Staff recommended approval.

Motion by Hehnke, second by Paulick to approve Ordinance #9730 on first reading.

City Clerk: Ordinance #9730 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.

**CONSENT AGENDA:** Consent Agenda item G-12 (Resolution #2019-145) was pulled for further discussion. Motion by Paulick, second by Fitzke to approve the Consent Agenda excluding item G-12. Upon roll call vote, all voted aye. Motion adopted.

**Approving Minutes of April 9, 2019 City Council Regular Meeting.**

**Receipt of Official Documents – Pawnbroker’s Official Bonds for G.I. Loan Shop, 1004 West 2nd Street and Express Pawn, 645 South Locust Street.**

#2019-136 - Approving Request from Spirit in the Sky, LLC dba 40 North Tap & Grille, 520 West 3rd Street for a Class "IK" Liquor License and Liquor Manager Designation for Joseph Vavricek, 2729 Brentwood Blvd.

#2019-137 - Approving Interlocal Agreement with Hall County for Ambulance Service.

#2019-138 - Approving Final Plat and Subdivision Agreement for Lewis Acres Subdivision. It was noted that Station 31, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Lewis Acres Subdivision located east of U.S. Highway 281 and south of Wildwood Drive for the purpose of creating 1 lot on 33.314 acres.

#2019-139 - Approving Final Plat and Subdivision Agreement for Ponderosa Village Second Subdivision. It was noted that Prataria Ventures, LLC, owners, had submitted the Final Plat and Subdivision Agreement for Ponderosa Village Second Subdivision located west of U.S. Highway 281 south of Ray Road and north of the Wood River for the purpose of creating 3 lots on 15.205 acres.

#2019-140 - Approving Bid Award for Burdick Generating Station Cooling Tower Demolition with Hayden Wrecking Corporation of Washington Park, Illinois in an Amount of \$44,875.00.

#2019-141 - Approving Purchase of Police Fleet Vehicles from Anderson Auto Group of Lincoln, Nebraska in an Amount of \$106,232.00.

#2019-142 - Approving Bid Award for Crushed Rock for 2019 from Dobesh Land Leveling, LLC of Grand Island, Nebraska and Blessing Construction of Kearney, Nebraska.

#2019-143 - Approving Bid Award for Downtown Sanitary Sewer Rehabilitation - 2019; Project No. 2019-S-1 with Municipal Pipe Tool Co., LLC of Hudson, Iowa in an Amount of \$634,409.00.

#2019-144 - Approving Request from the YMCA for Permission to Use City Streets, Hike/Bike Trail, and State Highway for the 2019 Nebraska State Fair Marathons.

#2019-145 - Approving Subordination Request for FAmos Construction. Community Development Administrator Amber Alvidrez stated a new lien in the amount of \$60,000 with Pinnacle Bank would by law be junior in priority to the City's lien; however, Pinnacle Bank had asked the City to subordinate its Deed of Trust to the new Deed of Trust. Staff recommended approval.

Motion by Paulick, second by Fitzke to approve Resolution #2019-145. Upon roll call vote, all voted aye. Motion adopted. Councilmember Schutz abstained.

#2019-146 - Approving Pheasants Forever/Nebraska Natural Resources Districts Agreement to Enroll Areas of Heartland Public Shooting Park in the "Corners For Wildlife" Habitat Program.

#2019-147 - Approving Letter of Support for Essential Air Service (EAS) to the Department of Transportation (DOT).

## REQUESTS AND REFERRALS:

Consideration of Approving the Request from Stephen & Deborah Spaulding for an Extension of a Conditional Use Permit to Allow for Construction of a House while living in the Existing Double-wide Trailer located at 3204 So. Shady Bend Road. This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Nickerson, second by Jones to approve. Upon roll call vote, all vote aye. Motion adopted.

Consideration of Forwarding Blighted and Substandard Area #16 (Veteran's Home Property and Surrounding Area) to the Hall County Regional Planning Commission (Community Redevelopment Authority). Regional Planning Director Chad Nabity reported that the CRA had submitted this study for the review and consideration of the Grand Island City Council. The study was approximately 569.09 acres of property in northern Grand Island north of State Street and east of Webb Road including the all of the Central Nebraska Veterans Home property. Staff recommended approval.

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

Consideration of Forwarding Blighted and Substandard Area #29 (South of Wildwood and East of U.S. Highway 281) to the Hall County Regional Planning Commission (Station 31, LLC). Regional Planning Director Chad Nabity reported that Station 31, LLC had submitted this study for the review and consideration of the Grand Island City Council. The study was approximately 33.18 acres of property in southern Grand Island south of Wildwood Drive and east of U.S. Highway 281 including the former Lewis Greenscape property. Staff recommended approval.

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

## RESOLUTIONS:

#2019-148 - Consideration of Approving Resignation, Separation Agreement and General Release of Brent Clark as City Administrator. City Attorney Jerry Janulewicz stated Mayor Steele and Mr. Clark had agreed that differences had arisen in their respective management styles and it was their desire to terminate the employment agreement of Mr. Clark with his resignation and a separation agreement.

Motion by Paulick, second by Hehnke to approve Resolution #2019-148. Upon roll call vote, all voted aye. Motion adopted.

#2019-149 - Consideration of Approving Amendment to the Redevelopment Plan for CRA No. 1 located at 221-223 West Third Street – Greenburgers Building (Wald Properties, LLC). This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Nickerson, second by Minton to approve Resolution #2019-149. Upon roll call vote, all voted aye. Motion adopted.

#2019-150 - Consideration of Approving FY 2019-2020 Annual Budget for Fonner Park Business Improvement District and Setting Date for Board of Equalization. Finance Director Patrick Brown reported that Fonner Park Business Improvement District had submitted their 2019-2020 budget which provided for special assessments in the amount of \$59,388.00. He requested the Board of Equalization date be set for May 28, 2019. Staff recommended approval.

Mr. Brown answered questions stating this was not a tax but an assessment.

Motion by Minton, second by Paulick to approve Resolution #2019-150. Upon roll call vote, all voted aye. Motion adopted.

#2019-151 - Consideration of Approving FY 2019-2020 Annual Budget for South Locust Business Improvement District and Setting Date for Board of Equalization. Finance Director Patrick Brown reported that South Locust Business Improvement District had submitted their 2019-2020 budget which provided for special assessments in the amount of \$139,849.50. He requested the Board of Equalization date be set for May 28, 2019. Staff recommended approval.

Motion by Paulick, second by Schutz to approve Resolution #2019-151. Upon roll call vote, all voted aye. Motion adopted.

#2019-152 - Consideration of Approving Additional Budget to Maintain the Veterans Home Cemetery. This item was pulled from the agenda.

PAYMENT OF CLAIMS:

Motion by Minton, second by Schutz to approve the payment of claims for the period of April 10, 2019 through April 23, 2019 for a total amount of \$4,643,645.36. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 7:55 p.m.

RaNae Edwards  
City Clerk