



# **City of Grand Island**

**Tuesday, May 28, 2019**

**Council Session**

## **Item G-1**

**Approving Minutes of May 14, 2019 City Council Regular Meeting/Budget Work Session**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 14, 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 May 14, 2019. Notice of the meeting was given in *The Grand Island Independent* on May 8, 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, Mitch Nickerson, and Chuck Haase. Councilmembers Julie Hehnke, Mike Paulick and Jeremy Jones were 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 Sheri Lodel, Calvary Lutheran Church, 1304 North Custer Avenue followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Rodger "Reggie" Schmit, Lineman 1st Class with the Utilities Department for 25 Years of Service with the City of Grand Island. The Mayor and City Council recognized Rodger "Reggie" Schmit for 25 years of service with the City of Grand Island as Lineman 1<sup>st</sup> Class with the Utilities Department. Utilities Director Tim Luchsinger thanked Mr. Schmit for his service to the Utilities Department. Mr. Schmit was present for the recognition.

Presentation by BKD, LLP for Fiscal Year Ended September 30, 2018 City Single Audit and General Purpose Financial Statements and Electric and Water Audit Reports. Finance Director Patrick Brown commented on the recommendations from BKD, LLP for the Finance Department. Introduced was Amy Shreck and Chris Lindner with BKD, LLP who presented the fiscal year ending September 30, 2018 City Single Audit and General Purpose Financial Statements and Electric and Water Audits. The opinion from BKD, LLP was a clean opinion according to accounting principles.

PUBLIC HEARINGS:

Public Hearing on Request from Kenia Munoz dba Ritmas Night Club, 611 East 4th 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 Kenia Munoz dba Ritmas Night Club, 611 East 4th Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 3, 2019; notice to the general public of date, time, and place of hearing published on May 4, 2019; notice to the applicant of date, time, and place of hearing mailed on April 3, 2019 and April 12, 2019; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and completion of a state approved alcohol server/seller training program. No public testimony was heard.

Public Hearing on Request from Nebraskaland Distributors, LLC dba Nebraskaland Distributors, 4845 Juergen Road for a Class "X" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "X" Liquor License had been received from Nebraskaland Distributors, LLC dba Nebraskaland Distributors, 4845 Juergen Road. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 12, 2019; notice to the general public of date, time, and place of hearing published on May 4, 2019; notice to the applicant of date, time, and place of hearing mailed on April 12, 2019; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Change to the Future Land Use Map for the City of Grand Island for Lots 11-14 of Lambert's Subdivision located between Congdon Avenue and Willow Street North of 4th Street from Manufacturing to Low to Medium Residential. Regional Planning Director Chad Nabity reported that Starostka Contracting, LLC was proposing to purchase property along 5<sup>th</sup> Street between Congdon Avenue and Willow Street for the development of 20 residential lots. They were requesting that the zoning on property be changed from M2 Heavy Manufacturing to R-3SL Medium Density Small Lot Residential. Staff had prepared an amendment to the Future Land Use Map of the Grand Island Comprehensive plan to support this proposed change. The change to the Comprehensive Plan needed to be approved prior to changing the zoning. Staff recommended approval. Patty Lyons, 413 North Congdon Avenue and Jordan Starostaka, 429 Industrial Lane spoke in support. No further public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan for CRA No. 1 located North of 4th Street between Congdon Avenue and Willow Street (Starostka Contracting, LLC). Regional Planning Director Chad Nabity reported that Starostka Contracting LLC had submitted an application for tax increment financing to aid in the redevelopment of property located north of 4<sup>th</sup> Street between Willow Street and Congdon Avenue. The proposal would redevelop this property for 20 residential lots including the extension of streets, sewer, water and storm sewer along with site work and demolition of existing structures. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Lots 11-14 of Lambert's Subdivision located at 417 Congdon Avenue from M2 Heavy Manufacturing to R-3SL Medium Density Small Lot Residential (Starostka Group Unlimited, Inc.). Regional Planning Director Chad Nabity reported that Starostka Contracting LLC has submitted an application to rezone property located north of 4<sup>th</sup> Street between Willow Street and Congdon Avenue from M2 Heavy Manufacturing to R-3SL Medium Density Small Lot Residential. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone a Portion of Lot 2 Hanover Second Subdivision and a Portion of Lot 4 Hanover Third Subdivision located West of North Road and South of 13th Street from R1-Suburban Density Residential to R-3 Medium Density Residential (Trent Huff & Andy Eiler). Regional Planning Director Chad Nabity reported that Trent Huff had purchased all of Lot 4 of Hanover Third Subdivision and Lot 2 of Hanover Second Subdivision for residential development and had requested a zoning change on the property. He was requesting that the zoning on the north and west portion be changed to R3 Medium Density Residential. Staff

recommended approval. Trent Huff, 4801 W. Chapman Road spoke in support. No public testimony was heard.

Public Hearing on Dedication of Right-of-Way at 3321 James Road. Public Works Director John Collins reported that in order to allow for property access off of James Road to adjacent businesses, it was required that current City owned property be dedicated by the City of Grand Island as right-of-way. This area was on the east side of James Road. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 228 Lake Street - R2S2, LLC. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 228 Lake Street was needed in order to have access to install, upgrade, maintain, and repair appurtenances, including water lines. Comfort Suites was proposing a new motel at the intersection of U.S. Highway 34 and South Locust Street. This easement would allow the Utilities Department to install, access, operate and maintain the water infrastructure in this location. Staff recommended approval. No public testimony was heard.

#### ORDINANCES:

#9728 - Consideration of Approving Annexation of Property Located East of U.S. Highway 281 and South of Wildwood Drive (Lewis Greenscape) (Second 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 Minton to approve Ordinance #9728 on second reading.

City Clerk: Ordinance #9728 on second reading. All those in favor of the passage of this ordinance on second 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) (Second 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 Schutz, second by Nickerson to approve Ordinance #9729 on second reading.

City Clerk: Ordinance #9729 on second reading. All those in favor of the passage of this ordinance on second 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) (Second 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 Haase, second by Conley to approve Ordinance #9730 on second reading.

City Clerk: Ordinance #9730 on second reading. All those in favor of the passage of this ordinance on second reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

#9732 – Consideration of Approving Request to Rezone a Portion of Lot 2 Hanover Second Subdivision and a Portion of Lot 4 Hanover Third Subdivision located West of North Road and South of 13th Street from R1-Suburban Density Residential to R-3 Medium Density Residential (Trent Huff & Andy Eiler)

This item related to the aforementioned Public Hearing.

Motion by Minton, second by Fitzke to approve Ordinance #9732 on first reading.

City Clerk: Ordinance #9732 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.

#9733 - Consideration of Approving Sale of 0.02 Acres to Menard, Inc. located at the Southeast Corner of Fire Station 4 along State Street

City Attorney Jerry Janulewicz reported that Menard sought to obtain from the City a triangular tract of land containing 0.02 acres located near the southeast corner of the fire station property. The three sides are 42.34 feet, 41.85 feet, and 59.96 feet. The proposed Ordinance, if adopted, would authorize the sale of this tract subject to the public's right of remonstrance.

Mr. Janulewicz answered questions concerning the Limited License Agreement and the Development Agreement. Fire Chief Cory Schmidt presented the plans for the new fire station located at North Road and State Street next to the new E911 Center.

Motion by Haase, second by Stelk to approve Ordinance #9733 on first reading.

City Clerk: Ordinance #9733 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-9 (Resolution #2019-157) was pulled from the agenda. Motion by Haase, second by Fitzke to approve the Consent Agenda excluding item G-9. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of April 23, 2019 City Council Regular Meeting.

Approving Re-Appointment of Brandon Bowley to the Central District Health Board.

Approving Appointment of Mike Kneale to the Citizens Advisory Review Committee Board.

Approving Preliminary Plat for Fifth Street Subdivision.

#2019-153 - Approving Final Plat and Subdivision Agreement for The Orchard Subdivision. It was noted that The Orchard, LLC, owner, had submitted the Final Plat and Subdivision Agreement for The Orchard Subdivision located south of Capital Avenue, east of Beal Street, north of the intersection of 12<sup>th</sup> Street and Lambert Avenue and west of the railroad tracks for the purpose of creating 67 lots on 23.861 acres.

#2019-154 - Approving Final Plat and Subdivision Agreement for Crossroads Subdivision. It was noted that Grand Island Entrepreneurial Venture, LLC, Raymond O'Connor, owner, had submitted the Final Plat and Subdivision Agreement for Crossroads Subdivision located south of 10<sup>th</sup> Street, west of White Avenue, directly north of 9<sup>th</sup> Street and Boggs Avenue intersection for the purpose of creating 2 lots on 0.992 acres.

#2019-155 - Approving Acquisition of Utility Easement - 228 Lake Street - R2S2, LLC.

#2019-156 - Approving Burdick Generation Station Demolition Engineering Services with Black & Veatch of Overland Park, Kansas in an Amount of \$698,985.00.

#2019-157 - Approving the Coal Supplier for Platte Generating Station for 2020 – 2022 with Cordero Rojo Mine. This item was pulled from the agenda at the request of the City Attorney.

#2019-158 - Approving Change Order #1 for Precipitator, Bottom Ash and Boiler Industrial Cleaning at Platte Generation Station - Spring 2019 Outage with Meylan Enterprises, Inc. of Omaha, Nebraska for an Increase of \$20,291.50 and a Revised Contract Amount of \$176,469.77.

#2019-159 - Approving HVAC Controls and Communications Update - Law Enforcement Center with Trane USA, Inc. of La Vista, Nebraska in an Amount of \$73,946.00.

#2019-160 - Approving Authorization for Emergency Sanitary Sewer Repair at 720 West Stolley Park Road with Myers Construction, Inc. of Broken Bow, Nebraska in an Amount of \$52,650.00.

#2019-161 - Approving Bid Award for Chip Seal Project No. 2019-CS-1 with Topkote, Inc. of Yankton, South Dakota in an Amount of \$203,758.71.

#2019-162 - Approving Dedication of Right-of-Way at 3321 James Road.

#2019-163 - Approving Agreement Amendment No. 1 for Utility Relocation Services to be performed by AT&T for the North Broadwell Drainage; Project No. 2018-D-1.

#2019-164 - Approving Change Order No. 6 for EM911 Facility with Chief Construction of Grand Island, Nebraska for an Increase of \$24,243.00 and a revised Contract Amount of \$3,178,247.00.

#2019-165 - Approving Development Agreement and Limited License Agreement with Menard, Inc.

#2019-166 - Approving Temporary Construction Easement and Perpetual Maintenance Easement.

#2019-167 - Approving Request from Nebraskaland Distributors, LLC dba Nebraskaland Distributors, 4845 Juergen Road for a Class "X" Liquor License and Liquor Manager Designation for Wayne Gappa, 11 East 48th Street, Kearney, Nebraska.

#2019-168 - Approving Request from Kenia Munoz dba Ritmas Night Club, 611 East 4th Street for a Class "I" Liquor License.

#### REQUESTS AND REFERRALS:

Consideration of Request from Building Department to Advertise a Request for Proposal for Legal Services to Abate Identified Public Nuisances. Building Department Director Craig Lewis reported that the Grand Island City Building Department was seeking approval to advertise a request for proposal for legal services to obtain a court order to abate public nuisances at specified private properties within the City jurisdictional area. Staff recommended approval.

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

#### RESOLUTIONS:

#2019-169 - Consideration of Appointing Jerry Janulewicz as Interim City Administrator. Mayor Steele reported that he was appointing Jerry Janulewicz as Interim City Administrator.

Motion by Minton, second by Stelk to approve Resolution #2019-169. Upon roll call vote, all voted aye. Motion adopted.

#2019-170 - Consideration of Approving Change to the Future Land Use Map for the City of Grand Island for Lots 11-14 of Lambert's Subdivision located between Congdon Avenue and Willow Street North of 4th Street from Manufacturing to Low to Medium Residential. This item was related to the aforementioned Public Hearing. Staff recommended approval. Discussion was held regarding the use of this property. Jordan Starostka stated these houses would be 2 to 3 bedrooms and would sell for \$204,000.00. Mr. Nabity answered questions regarding TIF and the cost of the homes.

Motion by Fitzke, second by Conley to approve Resolution #2019-170. Upon roll call vote, Councilmembers Haase, Nickerson, Minton, Conley, Stelk, and Fitzke voted aye. Councilmember Schutz voted no. Motion adopted.

#2019-171 - Consideration of Approving Amendment to the Redevelopment Plan for CRA No. 1 located North of 4th Street between Congdon Avenue and Willow Street (Starostka Contracting, LLC). This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Minton, second by Fitzke to approve Resolution #2019-171. Upon roll call vote, Councilmembers Minton, Conley, Stelk, and Fitzke voted aye. Councilmembers Haase and Schutz voted no. Councilmember Nickerson abstained. Motion failed.

#2019-172 - Consideration of Approving Economic Development Incentive Agreement with GIX Logistics, Inc. Jeff Vinson, Chairman of the Citizens Advisory Review Committee stated the Citizens Advisory Review Committee met and approved the application from GIX Logistics, Inc. Economic Development President Dave Taylor reported that GIX Logistics, Inc. had submitted the required LB-840 application for a forgivable loan in the amount of \$300,000.00. Proposed was the creation of 12 additional full-time equivalent (FTE) employees with an average hourly wage of \$30.00. Staff recommended approval.

Mr. Taylor answered questions regarding companies that did not meet their bench marks. He sated they could extend their contract by one year. If the company failed, all the money would need to be paid back.

Motion by Haase, second by Nickerson to approve Resolution #2019-172. 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 April 24, 2019 through May 14, 2019 for a total amount of \$5,375,476.43. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:30 p.m.

RaNae Edwards  
City Clerk



CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL BUDGET WORK SESSION  
May 14, 2019

Pursuant to due call and notice thereof, a Budget Work Session 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 May 14, 2019. Notice of the meeting was given in *The Grand Island Independent* on May 8, 2019.

Mayor Roger G. Steele called the meeting to order at 8:30 p.m. The following City Council members were present: Mike Paulick, Michelle Fitzke, Jeremy Jones, Mark Stelk, Jason Conley, Vaughn Minton, Clay Schutz, Mitch Nickerson, and Chuck Haase. Councilmember Julie Hehnke 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.

SPECIAL ITEMS:

Review of the 2019-2020 Fee Schedule. Finance Director Patrick Brown reviewed the proposed Fee Schedule for FY2019-2020 Budget year. He stated over all they were looking at increases in most areas. Fees should cover costs of service and in most areas we were short. Mr. Brown explained the procedure. The Finance Department had proposed the fees and the Department Directors submitted their requests.

Parks and Recreation Director Todd McCoy commented on the difference in fees as suggested by the Finance Department. He was concerned about losing customers due to the increase in fees. The numbers had gone down at Island Oasis Water Park. Currently the park programs did not break even.

Councilmember Haase suggested the fee for Pole Attachment be raised from \$6.00 per year to \$10.00 per year and the Bill and Collect Sewer fee (monthly charge) increase from \$10,450.00 to \$15,000.00.

ADJOURNMENT: The meeting was adjourned at 8:49 p.m.

RaNae Edwards  
City Clerk