



# **City of Grand Island**

**Tuesday, September 10, 2019**

**Council Session**

## **Item G-1**

### **Approving Minutes of August 27, 2019 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 27, 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 August 27, 2019. Notice of the meeting was given in *The Grand Island Independent* on August 21, 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, Julie Hehnke, Clay Schutz, Mitch Nickerson, and Chuck Haase. The following City Officials were present: City Administrator Jerry Janulewicz, City Clerk RaNae Edwards, Finance Director Patrick Brown, Interim City Attorney Stacy Nonhof, and Public Works Director John Collins.

INVOCATION was given by Pastor Jenny Schneckloth, Abundant Life Christian Center, 3411 West Faidley Avenue followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Councilmember Michelle Fitzke – Ward 5. The Mayor and City Council recognized Councilmember Michelle Fitzke for her service as Ward 5 Councilmember from December 9, 2014 to August 27, 2019. Ms. Fitzke was presented a plaque and thanked for her service.

Presentation by Brad Mellema with the Grand Island Convention & Visitors Bureau regarding Grow Grand Island Strategic Marketing Fund. Convention & Visitors Bureau Executive Director Brad Mellema gave a presentation concerning the Grow Grand Island Strategic Marketing Fund. He stated the Convention & Visitors Bureau Mission was to “grow the tourism economy and define Grand Island as a destination.” Discussion was held regarding the \$200,000 from Grow Grand Island.

Parks and Recreation Director Todd McCoy answered questions regarding the Veteran’s Athletic Ball Fields. He stated they had three more tournaments this year than last year.

Presentation Concerning Proposed Fiscal Year 2019-2020 Community Redevelopment Authority (CRA) Budget. Regional Planning Director Chad Nabity presented the 2019-2020 Community Redevelopment Authority (CRA) budget. The CRA was requesting property tax revenues of \$697,229 including \$194,229 for Lincoln Pool Construction and Bonds and \$503,000 for all other CRA programs. The CRA was requesting the same levy that was approved last year of 0.0229. This would allow the CRA to meet obligations and continue with their successful programs.

Mr. Nabity stated cash on hand right now was about \$1,000,000 with funds committed yet this year.

#### PUBLIC HEARINGS:

Public Hearing on Request from Thayris Manzano Gonzalez dba Havana Night, 1403 South Eddy 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 Thayris Manzano Gonzalez dba Havana Night, 1403 South Eddy Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on August 5, 2019; notice to the general public of date, time, and place of hearing published on August 17, 2019; notice to the applicant of date, time, and place of hearing mailed on August 5, 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. Thayris Manzano Gonzalez, 1403 South Eddy Street spoke in support. No further public testimony was heard.

#### RESOLUTION:

#2019-266 - Consideration of Approving Labor Agreement between the City of Grand Island and the International Association of Firefighters, Local No. 647. Human Resources Director Aaron Schmid reported that the current labor agreement would expire as of midnight September 30, 2019. The City and the IAFF met to negotiate the terms of a new agreement. The negotiations were handled in good faith with both parties focused on a fair contract. The contract would continue through September 30, 2023. Mr. Schmid reviewed the changes.

Phil Thomas, 1809 L Street, Aurora, Nebraska spoke in support.

Motion by Nickerson, second by Minton to approve Resolution #2019-266. Upon roll call vote, Councilmembers Nickerson, Schutz, Hehnke, Minton, Conley, Stelke, Jones, Fitzke, and Paulick voted aye. Councilmember Haase voted no. Motion adopted.

#### 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:

#9744 - Consideration of Approving Salary Ordinance

#9745 - Consideration of Amending Chapter 20 of the Grand Island City Code Relative to MIP Tobacco

#9746 - Consideration of Amending Chapter 39 of the Grand Island City Code Relative to Vaping

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.

#### #9744 - Consideration of Approving Salary Ordinance

Human Resources Director Aaron Schmid reported that wage changes presented in this Ordinance were for bargaining units according to their respective labor agreements and negotiated wages. The Ordinance also included changes to the non-union positions.

Motion by Minton, second by Paulick to approve Ordinance #9744.

City Clerk: Ordinance #9744 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Nickerson, Schutz, Hehnke, Minton, Conley, Stelk, Jones, Fitzke and Paulick voted aye. Councilmember Haase voted no. Motion adopted.

City Clerk: Ordinance #9744 on second and final reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Nickerson, Schutz, Hehnke, Minton, Conley, Stelk, Jones, Fitzke and Paulick voted aye. Councilmember Haase voted no. Motion adopted.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9744 is declared to be lawfully adopted upon publication as required by law.

#### #9745 - Consideration of Amending Chapter 20 of the Grand Island City Code Relative to MIP Tobacco

Interim City Attorney Stacy Nonhof reported that Ordinance #9745 amends Chapter 20 of City Code, Minor in Possession of Tobacco to increase the age of legally possessing tobacco products, vapor products or alternative nicotine products in the City of Grand Island from 18 to 19.

Motion by Haase, second by Paulick to approve Ordinance #9745.

City Clerk: Ordinance #9745 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 #9745 on second and final 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.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9745 is declared to be lawfully adopted upon publication as required by law.

**#9746 - Consideration of Amending Chapter 39 of the Grand Island City Code Relative to Vaping**

Interim City Attorney Stacy Nonhof reported that Ordinance #9746 amends Chapter 39 of City Code, the Grand Island Smoking Regulation Act at the request of Councilmember Chuck Haase as it relates to vaping. The Nebraska Legislature had not banned the use of vapor products in public buildings to date. The purpose of this Ordinance was to prevent the use of electronic vaping devices in public buildings.

Motion by Haase, second by Stelk to approve Ordinance #9746.

City Clerk: Ordinance #9746 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 #9746 on second and final 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.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9746 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-11 (Resolution #2019-255) was pulled for further discussion. Motion by Paulick, second by Schutz to approve the Consent Agenda excluding item G-11. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of August 13, 2019 City Council Regular Meeting.

#2019-246 - Approving Request from Thayris Manzano Gonzalez dba Havana Night, 1403 South Eddy Street for a Class "I" Liquor License.

#2019-247 - Approving Final Plat and Subdivision Agreement for Darlings Landing Subdivision. It was noted that Brian Darling and Renee Ruzicka, owners, had submitted the Final Plat and Subdivision Agreement for Darlings Landing Subdivision located south of U.S. Highway 34/Husker Highway and west of Shady Bend Road for the purpose of creating 1 lot on 0.839 acres.

#2019-248 - Approving Final Plat and Subdivision Agreement for The Orchard 2nd Subdivision. It was noted that The Orchard, LLC, owner, had submitted the Final Plat and Subdivision Agreement for The Orchard 2<sup>nd</sup> Subdivision located north and south of Capital Avenue and west of the Central Nebraska Railroad line for the purpose of creating 8 lots on 0.568 acres.

#2019-249 - Approving Final Plat and Subdivision Agreement for Cedar Estates Subdivision. It was noted that KYONIO Company, Corporation, owners, has submitted the Final Plat and Subdivision Agreement for Cedar Estates Subdivision located south of Capital Avenue and east of Evergreen Lane in Merrick County for the purpose of creating 2 lots on 6.95 acres.

#2019-250 - Approving Bid Award - Low NOx Burner Parts with Riley Power, Inc. of Duncan, South Carolina in an Amount of \$103,440.53.

#2019-251 - Approving the Supply and Delivery of Pebble Lime 2019 – 2022 with Pete Lien & Sons, Inc. of Rapid City, South Dakota.

#2019-252 - Approving Change Order #1 for Water Main Project 2018-W-8 - Riverside Drive and Holcomb Street with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$12,207.19 and a Revised Contract Amount of \$91,378.39.

#2019-253 - Approving Shared Facilities Agreement with NPPD.

#2019-254 - Approving Update of the Designated Depositories List.

#2019-255 - Approving Agreement with Clean Community Systems in an Amount of \$27,500.00. Denise McGovern, 55 Kuester Lake explained the Clean Community Systems program.

Motion by Nickerson, second by Hehnke to approve Resolution #2019-255. Upon roll call vote, all voted aye. Motion adopted.

#2019-256 - Approving Change Order No. 1 for North Broadwell Avenue Drainage; Project No. 2018-D-1 with Starostka Group Unlimited, Inc. of Grand Island, Nebraska for an Extension Date from September 1, 2019 to May 31, 2020.

#2019-257 - Approving Change Order No. 1 for Sugar Beet Ditch Drainage; Project No. 2019-D-1 with Starostka Group Unlimited, Inc. of Grand Island, Nebraska for an Extension Date from September 1, 2019 to November 30, 2019.

#2019-258 - Approving Change Order No. 1 for Sycamore Street Underpass Rehabilitation; Project No. 2017-U-1 with The Diamond Engineering Company of Grand Island, Nebraska for an Extension Date from September 30, 2019 to January 7, 2020.

#2019-259 - Approving Change Order No. 1 for Curb Ramp Project No. 2019-CR-1 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$960.00 and a Revised Contract Amount of \$120,058.00.

#2019-260 - Approving Change Order No. 1 for the 2019 Asphalt Resurfacing Project No. 2019-AC-1 with Gary Smith Construction Co., Inc. of Grand Island, Nebraska for an Increase of \$2,560.80 and a Revised Contract Amount of \$609,938.05.

#2019-261 - Approving Bid Award for Sidewalk District No. 1- 2019; 13th Street with Carlos Guerrero Construction of Grand Island, Nebraska in an Amount of \$26,400.00.

#2019-262 - Approving Addendum to Lease Agreement with the Grand Island Tennis Association for an Additional Five Years.

#2019-263 - Approving Addendum to Lease Agreement with the Nebraska State Patrol until July 31, 2021 in an Amount of \$800.00 per year.

#2019-264 - Approving Trail Extension Grant Application.

#2019-265 - Approving Veteran's Athletic Complex Playground Equipment Grant Application.

RESOLUTION:

#2019-267 - Consideration of Establishing a Shared Cost Residential Sidewalk Repair Program. City Administrator Jerry Janulewicz reported that Councilmember Nickerson was requesting development of a sidewalk repair cost share program to address defective and inadequate residential sidewalks found within the city's municipal boundaries. He was proposing \$25,000 for this program to be established in the Public Works Department budget for FY2019-20. The funds would be allocated within the proposed budget, not additional funds for Public Works. Public Works Director John Collins commented on the logistics of the program.

Discussion was held regarding people with homestead exemptions and/or on fixed incomes.

Motion by Nickerson, second by Hehnke to approve Resolution #2019-267. 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 August 14, 2019 through August 27, 2019 for a total amount of \$5,261,708.99. Upon roll call vote, all voted aye. Motion adopted.

ADJOURN TO EXECUTIVE SESSION: Motion by Minton, second by Paulick to adjourn to Executive Session at 8:42 p.m. for the purpose of a strategy session with respect to FOP Union negotiations. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Minton, second by Hehnke to return to Regular Session at 9:39 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:40 p.m.

RaNae Edwards  
City Clerk