



# **City of Grand Island**

**Tuesday, September 24, 2019**

**Council Session**

## **Item G-1**

### **Approving Minutes of September 10, 2019 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

September 10, 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 September 10, 2019. Notice of the meeting was given in *The Grand Island Independent* on September 4, 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, Julie Hehnke, Mitch Nickerson, and Chuck Haase. Councilmember Clay Schutz was absent. The following City Officials were present: City Clerk RaNae Edwards, Finance Director Patrick Brown, Interim City Attorney Stacy Nonhof, and Assistant Public Works Director Keith Kurz.

INVOCATION was given by Father Don Buhrman, St. Leo's Catholic Church, 2410 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

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

#2019-BE-6 (B)- Consideration of Determining Benefits for Railside Business Improvement District Finance Director Patrick Brown reported that the City Council in its capacity as the Board of Equalization was required to determine the benefits for Railside BID. Special assessments were for the amount of \$119,256.08 (70%) or \$119,986.62 (100%). Presented were two Resolutions with the 70% and 100% assessment for owner occupied residents. Staff recommended approval of the 70% assessments.

Motion by Stelk, second by Paulick to approve Resolution #2019-BE-6 (B). Upon roll call vote, all voted aye. Motion adopted.

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

PUBLIC HEARINGS:

Public Hearing on Setting the Property Tax Request for FY 2019-2020. Finance Director Patrick Brown reported that LB 103 was signed into law in 2019. If the City of Grand Island seeks to set its property tax request at an amount that exceeds its property tax request from the prior year, it may do so after holding a public hearing and by passing a resolution or ordinance. The 2019 valuations for the City of Grand Island increased over the 2018 valuation by \$106,550,320 or 3.41%. If the City applied the FY2018-2019 mill levy of 0.3979 to the current valuation of \$3,231,585,947, the City's Property Tax revenue would be \$12,858,610, a tax increase of \$423,968 over the prior year. Staff made no recommendation. No public testimony was heard.

Public Hearing on Downtown Improvement Parking District #2 (Ramp) Budget Appropriation for FY 2019-2020. Finance Director Patrick Brown reported that the Downtown Improvement District #2 (Ramp) was not requesting an increase in Property Tax thereby reducing the mill levy from 0.0174 to 0.0171. The Downtown Improvement District #2 (Ramp) Property Tax revenue request was \$8,080. Staff recommended approval. No public testimony was heard.

Public Hearing on FY 2019-2020 Annual Single City Budget and the Annual Appropriations Bill. Finance Director Patrick Brown reported that State Statute Sections 13-501 to 13-513 required the governing body meet for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed budget. The City Council must pass an ordinance by majority vote to adopt "The Annual Appropriations Bill." 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:

#9747 - Consideration of Approving FY2019-2020 Annual Single City Budget and the Annual Appropriations Bill

#9748 (B) - Consideration of Approving Assessments for Railside Business Improvement District

#9749 - Consideration of Vacation of a Portion of Waugh Street, Garfield Avenue, and Grant Avenue within Scarff's Addition to West Lawn 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.

#9747 - Consideration of Approving FY2019-2020 Annual Single City Budget and the Annual Appropriations Bill

This item was related to the aforementioned Public Hearing.

Motion by Paulick, second by Jones to approve Ordinance #9747.

Comments were made regarding this year's process of the budget, declining cash balance and not compliant with fiscal policies. Spending was increasing and revenues were decreasing. Discussion was held regarding the 7.75 FTE's and the impact of funding or not funding those positions. Mayor Steele stated he had created a committee to work on the budget and instituted a hiring freeze. He encouraged the Council to reduce the appropriations for the 7.75 FTE's that were approved on August 6, 2019. Discussion was held regarding voting on Resolution #2018-284 before a vote on Ordinance No. 9747. Councilmembers Paulick and Jones withdrew their motion and second.

RESOLUTION:

#2019-284 (B) - Consideration of Setting the General Property Tax Request for FY 2019-2020.  
This item was related to the aforementioned Public Hearing.

Motion by Nickerson, second by Haase to approve Resolution #2019-284 (B).

Discussion was held regarding valuations, property tax increase, tax rate, and LB 103. After much confusion regarding the motion Councilmembers Nickerson and Haase withdrew their motion and second.

#2019-284 (A) - Consideration of Setting the General Property Tax Request for FY 2019-2020.

Motion by Paulick, second by Jones to approve. Upon roll call vote, Councilmembers Nickerson, Hehnke, Minton, Conley, Stelk, Jones, and Paulick voted aye. Councilmember Haase voted no. Motion adopted.

Mayor Steele vetoed the General Property Tax increase in the amount of \$423,968 as stated in Resolution #2019-284 (A). Mayor Steele stated his reason for the veto was that we do not have an income problem we have a spending problem due to the 7.75 FTE's the Council approved on August 6, 2019.

Motion by Paulick, second by Nickerson to override the Mayor's veto of Resolution #2019-284 (A). Upon roll call vote, Councilmembers Nickerson, Hehnke, Minton, Conley, Jones, and Paulick voted aye. Councilmembers Haase and Stelk voted no. Motion failed.

#2019-284 (B) - Consideration of Setting the General Property Tax Request for FY 2019-2020.

Discussion was held regarding what would happen if the Council did not approve this Resolution. Interim City Attorney Stacy Nonhof explained LB 103 and that if there was no decision on this item the City would not be able to receive any money. The deadline to be submitted was October 13<sup>th</sup>. Mr. Brown stated the budget had to be in to the state by September 20<sup>th</sup>.

Motion by Haase, second by Minton to approve Resolution #2019-284 (B). Upon roll call vote, Councilmembers Haase, Nickerson, Hehnke, Minton, Conley, Stelk, and Jones voted aye. Councilmember Paulick voted no. Motion adopted.

Ordinances:

#9747 - Consideration of Approving FY2019-2020 Annual Single City Budget and the Annual Appropriations Bill

This item was related to the aforementioned Public Hearing.

Motion by Minton, second by Stelk to approve Ordinance No. 9747.

Motion by Minton, second by Haase to amend the motion to include the reduction of the property tax request of \$423,968. Upon roll call vote, Councilmembers Haase, Nickerson, Minton, Conley, and Stelk voted aye. Councilmembers Hehnke, Jones, and Paulick voted no. Mayor Steele made the sixth and deciding vote. Motion adopted.

Motion by Nickerson, second by Stelk to amend the motion to reduce the FTE's by 7.75 as approved on August 6, 2019. Upon roll call vote, Councilmembers Haase, Nickerson, Hehnke, Minton, and Stelk voted aye. Councilmembers Conley, Jones, and Paulick voted no. Mayor Steele made the sixth and deciding vote. Motion adopted.

City Clerk: Ordinance #9747 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 Haase, Nickerson, Hehnke, Minton, Conley, Stelk, and Jones voted aye. Councilmember Paulick voted no. Motion adopted.

City Clerk: Ordinance #9747 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 Haase, Nickerson, Hehnke, Minton, Conley, Stelk, and Jones voted aye. Councilmember Paulick voted no. Motion adopted.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9747 is declared to be lawfully adopted upon publication as required by law.

#9748 (B) - Consideration of Approving Assessments for Railside Business Improvement District

This item was related to the aforementioned Board of Equalization.

Motion by Nickerson, second by Stelk to approve Ordinance No. 9748 (B).

City Clerk: Ordinance #9748 (B) 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 #9747 (B) 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 #9747 (B) is declared to be lawfully adopted upon publication as required by law.

**#9749 - Consideration of Vacation of a Portion of Waugh Street, Garfield Avenue, and Grant Avenue within Scarff's Addition to West Lawn Subdivision**

Public Works Director John Collins reported that to allow for the continued development of Grand Island Senior High Stadium the City has received a request to vacate a portion of Waugh Street, Garfield Avenue, and Grant Avenue, which were located within Scarff's Addition to West Lawn Subdivision. Staff recommended approval.

Motion by Haase, second by Hehnke to approve Ordinance #9749.

City Clerk: Ordinance #9749 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 #9749 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 #9749 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Paulick, second by Conley to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of August 27, 2019 City Council Regular Meeting.

Approving Appointment of Michelle Fitzke to the Animal Advisory Board.

#2019-268 - Approving Certificate of Final Completion for Water Main Project 2018-W-8 - Riverside Drive and Holcomb Street with The Diamond Engineering Company of Grand Island, Nebraska.

#2019-269 - Approving the Coal Supply for Platte Generating Station for 2020 - 2022 with Cloud Peak Energy.

#2019-270 - Approving the Renewal of Utilities Property Peril, Fire and Terrorism Insurance with Factory Mutual Insurance Company of St. Louis, Missouri for 2019-2020 in an Amount of \$447,617.00 and Terrorism Insurance Coverage in an Amount of \$24,474.00.

#2019-271 - Approving Certificate of Final Completion 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.

#2019-272 - Approving Certificate of Final Completion for Curb Ramp Project No. 2019-CR-1 with The Diamond Engineering Company of Grand Island, Nebraska.

#2019-273 - Approving Certificate of Final Completion for Chip Seal Project No. 2019-CS-1 with Topkote, Inc. of Yankton, South Dakota.

#2019-274 - Approving Change Order No. 2 for Sugar Beet Ditch Drainage; Project No. 2019-D-1 with Starostka Group Unlimited, Inc. of Grand Island, Nebraska for an Increase of \$19,013.11 and a Revised Contract Amount of \$116,331.84.

#2019-275 - Approving Bid Award for Drainage Ditch Grading, Excavating, and Hauling 2019-2020 with Harders Dozer & Scraper, LLC of Cairo, Nebraska.

#2019-276 - Approving Certificate of Final Completion for Curb Ramp Project No. 2019-CR-2 CDBG with Galvan Construction, Inc. of Grand Island, Nebraska.

#2019-277 - Approving Certificate of Final Completion for 13th Street Paving Improvements; Project No. 2018-P-1 and 13th Street Water Main Improvements; Project No. 2018-W-5 with Blessing Construction of Kearney, Nebraska.

#2019-278 - Approving Alterations of New Bucket Truck/Sign Truck for the Streets Division of the Public Works Department with Altec Industries, Inc. in an Amount of \$7,423.00.

#2019-279 - Approving 2019 GIPD and HCSO Justice Assistance Grant (JAG) Application and Funding. Councilmember Jones abstained.

#2019-280 - Approving Fiscal Year 2019-2020 VOCA Grant Award.

#2019-281 - Approving CDBG Project 2018-6 Sub-Recipient Agreement with Hope Harbor.

#2019-282 - Approving Bid Award of (7) 500 E ATA Trap Machines with Wobble Options for the Heartland Public Shooting Park with MCS Trap of Smithville, Missouri in an Amount of \$44,015.00.

#2019-283 – Approving Bid Award for Tree Grinding and Hauling with O’Neill Wood Resources, LLC of Alda, Nebraska in an Amount of \$108,100.00.

RESOLUTION:

#2019-285 - Consideration of Setting the Downtown Improvement Parking District #2 (Ramp) for FY 2019-2020. This item relates to the aforementioned Public Hearing.

Motion by Minton, second by Hehnke to approve Resolution #2019-285. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Jones to approve the payment of claims for the period of August 28, 2019 through September 10, 2019 for a total amount of \$4,787,785.67. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:45 p.m.

RaNae Edwards  
City Clerk