



# **City of Grand Island**

**Tuesday, June 23, 2020**

**Council Session**

## **Item G-1**

### **Approving Minutes of June 9, 2020 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
June 9, 2020

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted by Zoom in the Council Chambers of City Hall, 100 East First Street, on June 9, 2020. Notice of the meeting was given in *The Grand Island Independent* on June 3, 2020.

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

PUBLIC HEARINGS:

Public Hearing on Request from Spirit in the Sky dba 40 North Tap & Grille, 520 West 3rd Street for an Addition of an Outdoor Area to their Class “CKG-123244” Liquor License. City Clerk RaNae Edwards reported that an application for an addition of an Outdoor Area to their Class “CKG-123244” Liquor License had been received from Spirit in the Sky dba 40 North Tap & Grille, 520 West 3<sup>rd</sup> Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 20, 2020; notice to the general public of date, time, and place of hearing published on May 30, 2020; notice to the applicant of date, time, and place of hearing mailed on May 20, 2020. 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 from Prairie Pride Brewing Company dba Prairie Pride Brewing, 115 South Front Street, Suite 1 for an Addition to their Class “C-121599” Liquor License. City Clerk RaNae Edwards reported that an application for an addition to their Class “C-121599” Liquor License had been received from Prairie Pride Brewing Company dba Prairie Pride Brewing, 115 South Front Street, Suite 1. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 26, 2020; notice to the general public of date, time, and place of hearing published on May 30, 2020; notice to the applicant of date, time, and place of hearing mailed on May 26, 2020. Staff recommended approval contingent upon final inspections. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 4304 Gold Core Drive - Old Dominion Freight Line, Inc. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4304 Gold Core Drive was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Old Dominion Freight Line, Inc., had requested a new electrical service for their new commercial building. The proposed 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 Dedication of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (City of Grand Island- 3505 West Old Potash Highway). Public Works Director John Collins reported that the City of Grand Island was dedicating property located at 3505 West Old Potash Highway as right-of-way to be used for the Old Potash Highway Roadway Improvements; Project No. 2019-P-1. 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:

- #9770 – Consideration of Approving Zoning Change for Property located at 641 S Cherry Street from RD – Residential Development to Amended RD – Residential Development (JNIK, LLC & Jim Nikodym Trust)
- #9771 – Consideration of Vacating Westgate Ninth Subdivision and Retaining Certain Easements
- #9772 - Consideration of Sale of Property Located at 3231 West Schimmer Drive (Parcel No. 400401746)

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

- #9770 – Consideration of Approving Zoning Change for Property located at 641 S Cherry Street from RD – Residential Development to Amended RD – Residential Development (JNIK, LLC & Jim Nikodym Trust)

Regional Planning Director Chad Nabity reported that an application had been made to rezone Lot 3 Nikodym Subdivision from Residential Development Zone (RD) to Amended Residential Development Zone (RD). This would allow the property to be split into two lots. Lot 1 would be the location of a natural gas regulator station. Lot 2 would be reserved for future residential development. Staff recommended approval.

Motion by Schutz, second by Stelk to approve Ordinance #9770.

City Clerk: Ordinance #9770 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 #9770 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 #9770 is declared to be lawfully adopted upon publication as required by law.

#9771 – Consideration of Vacating Westgate Ninth Subdivision and Retaining Certain Easements

Regional Planning Director Chad Nabity reported that the prospective owners of Westgate Ninth Subdivision with the approval of the owners had requested that the City vacate the Westgate Ninth Subdivision and allow it to revert back to Lot 10 of Westgate Subdivision. The new owners intend to submit a plat to divide this property zoned for manufacturing uses into two lots. Staff recommended approval.

Motion by Paulick, second by Hehnke to approve Ordinance #9771.

City Clerk: Ordinance #9771 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 #9771 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 #9771 is declared to be lawfully adopted upon publication as required by law.

#9772 - Consideration of Sale of Property Located at 3231 West Schimmer Drive (Parcel No. 400401746)

Public Works Director John Collins reported that two (2) offers were previously submitted on the property with Council rejecting both via Ordinance No. 9765. One offer was submitted by Midwest Waste Trucks, LLC in the amount of \$136,000.00, which did not share their plan/intent for the property as requested by City Council at the April 28, 2020 meeting. The 2<sup>nd</sup> offer was from 3 Diamonds, Inc. in the amount of \$125,000.00, with rejection based on their condition of the sale be a sign variance to allow an outdoor advertising digital billboard, which isn't allowed per City Code Section 31-40 through 31-49. 3 Diamonds, Inc. had submitted a new proposal in the amount of \$75,000.00 and removed the condition of the sale be for a sign variance.

Fred Bosselman, 10550 South Buffalo Road, Doniphan, Nebraska spoke in opposition. Discussion was held regarding the price and a development plan.

Motion by Stelk, second by Paulick to deny Ordinance #9772. Upon roll call vote, all voted aye. Motion adopted.

#9773 – Consideration of Annexing Property being Platted as Brooklyn Subdivision an Addition to the City of Grand Island (First Reading)

Regional Planning Director Chad Nabity reported that Gerald and Pamela Dean, owners of the property, submitted a plat of Brooklyn Subdivision an Addition to the City of Grand Island. Two residential lots would be added to the City as a result of this annexation. This property is located west of St. Paul Road where it intersects with Dean Street and east of and contiguous with Capital Mobile Home Park. This was the first of three readings. Staff recommended approval.

Motion by Haase, second by Hehnke to approve Ordinance #9733 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

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

Approving Minutes of May 26, 2020 City Council Regular Meeting.

#2020-127 - Approving Request from Spirit in the Sky dba 40 North Tap & Grille, 520 West 3rd Street for an Addition of an Outdoor Area to their Class “CKG-123244” Liquor License.

#2020-128 - Approving Request from Prairie Pride Brewing Company dba Prairie Pride Brewing, 115 South Front Street, Suite 1 for an Addition to their Class “C-121599” Liquor License.

#2020-129 - Approving Acquisition of Utility Easement - 4304 Gold Core Drive - Old Dominion Freight Line, Inc.

#2020-130 - Approving Change Order #1 - Burdick Station Maintenance Building with Chief Construction Company of Grand Island, Nebraska for an Increase of \$16,605.00 and a Revised Contract Amount of \$1,757,242.00.

#2020-131 - Approving Amendment #3 to the Power Purchase Agreement between the City of Grand Island and Prairie Hills Wind, LLC for an Extension to the Guaranteed COD and Outside COD to December 1, 2022 and June 30, 2023 respectively.

#2020-132 - Approving Acceptance of 2020 High Intensity Drug Trafficking Area (HIDTA) Grant.

#2020-133 - Approving Address Point Layer Updates for Next Gen E911 with GeoComm, Inc. of St. Cloud, Minnesota in an Amount of \$21,845.00.

#2020-134 - Approving Dedication of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (City of Grand Island- 3505 West Old Potash Highway).

#2020-135 - Approving Bid Award for Annual Supply of Road Deicing Salt 2020-2021 with Nebraska Salt & Grain Co. of Gothenburg, Nebraska in an Amount of \$52.79 per ton for Road Sale, Off-Peak and \$55.55 per ton for Road Sale, On Peak.

#2020-136 - Approving Amendment No. 2 for 2019 Signal Timing Project with Iteris, Inc. of Lincoln, Nebraska to Extend the Completion Date to October 31, 2020.

#2020-137 - Approving Amendment No. 1 to Engineering Consulting Agreement for North Road- US Highway 30 to Old Potash Highway Roadway Improvements; Project No. 2019-P-12 with Alfred Benesch & Company of Lincoln, Nebraska for an Increase of \$116,324.00 and a Revised Contract Amount of \$193,268.00.

#2020-138 - Approving Final Plat and Subdivision Agreement for Nikodym Second Subdivision. It was noted that JNIK, LLC & Jim Nikodym Revocable Trust, owners, had submitted the Final Plat and Subdivision Agreement for Nikodym Second Subdivision located north of Bismark Road, west of Stuhr Road and east of Cherry Street for the purpose of creating 2 lots on 13.432 acres.

RESOLUTION:

#2020-139 - Consideration of Approving Golf Pro Request for Reduced Bonus Thresholds. City Administrator Jerry Janulewicz reported that Don Kruse requested the following:

I am asking the City to amend my contract concerning my cart bonus quotas. I would like all the quotas to be reduced by \$25,000.

From	To	Bonus
\$155,000	\$160,000	\$6,000
\$160,001	\$165,000	\$7,000
\$165,001	\$170,000	\$8,000
\$170,001	\$175,000	\$9,000
\$175,001	Or more	\$10,000

Comments were made regarding the loss of revenue due to COVID-19 and the golf course being closed for 39 days. Mentioned was the amount of time it takes to clean the rentals to comply with the restrictions.

Motion by Haase, second by Minton to approve Resolution #2020-139. Upon roll call vote, Councilmembers Haase, Hehnke, Paulick, and Stelk voted aye. Councilmembers Conley, Jones, Minton, Nickerson, Schutz, and Scott voted no. Motion failed.

PAYMENT OF CLAIMS:

Motion by Minton, second by Hehnke to approve the payment of claims for the period of May 27, 2020 through June 9, 2020 for a total amount of \$3,600,238.02. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 7:56 p.m.

RaNae Edwards  
City Clerk