



# **City of Grand Island**

**Tuesday, August 11, 2020**

**Council Session**

## **Item G-2**

**Approving Minutes of July 28, 2020 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
July 28, 2020

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 July 28, 2020. Notice of the meeting was given in *The Grand Island Independent* on July 22, 2020.

Mayor Roger G. Steele called the meeting to order at 7:00 p.m. The following City Council members were present: Mike Paulick, Justin Scott, 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 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 Leo's Market, LLC dba Leo's Market, 218 S. Wheeler Avenue for a Class "D" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "D" Liquor License had been received from Leo's Market, LLC dba Leo's Market, 218 S. Wheeler Avenue. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 30, 2020; notice to the general public of date, time, and place of hearing published on July 18, 2020; notice to the applicant of date, time, and place of hearing mailed on July 6, 2020. Staff recommended approval contingent upon final inspections and completion of a state approved alcohol server/seller training program. Dayrin Ramirez, 104 Lakeview Circle Apt. #7 was present to answer questions. No further public testimony was heard.

Public Hearing on Request from Havana Night, LLC dba Havana Night, 1403 S. 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 Havana Night, LLC dba Havana Night, 1403 S. Eddy Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on July 14, 2020; notice to the general public of date, time, and place of hearing published on July 18, 2020; notice to the applicant of date, time, and place of hearing mailed on July 14, 2020. Staff recommended approval contingent upon final inspections and completion of a state approved alcohol server/seller training program. Derek Mitchell, 102 North Locust Street, attorney for the applicant and Thayris Manzano Gonzalez, 108 West 14<sup>th</sup> Street was present to answer questions. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 3860 S. Locust Street - Hooker Bros. Sand & Gravel, Inc.. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3860 S. Locust Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Hooker Bros. Sand & Gravel, Inc. were putting on an addition to their maintenance building and an existing pad-mount transformer needed to be relocated with underground electric service in the easement. 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 Proposed Blighted and Substandard Area 31 for 1.69 Acres located South of South Street between Henry Street and the Grand Island Bike Trail (John Baasch Augers). Regional Planning Director Chad Nabity reported that John Baasch Augers, had commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 31. The study was prepared by Marvin Planning Associates of David City, Nebraska. This study was approximately 1.69 acres of property located south of South Street between Henry Street and the bike trail in south central Grand Island. Staff recommended approval. Keith Marvin, David City, Nebraska and Bradley Baasch, owner spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (CHT Grand Island NE Senior Living, LLC- 3990 W Capital Avenue). Public Works Director John Collins reported that public right-of-way was needed to accommodate the roadway improvements of North Road from just north of 13<sup>th</sup> Street to Highway 2. The property owner had signed the necessary documents to grant the property. Staff recommended approval. No public testimony was heard.

Public Hearing on Presentation of One and Six Year Street Improvement Plan and Capital Improvement Projects. Finance Director Patrick Brown reported the 2020 expenses for projects was \$10,000,000 and the proposed 2021 expenses was \$15,000,000.

Public Works Director John Collins presented the 2020/2021 Capital Projects. Reviewed were the 2020 projects, projects funded by Sales Tax and projects funded by Gas Tax Money. The following Capital projects were proposed for 2020/2021:

- Capital Avenue, Moores Creek to North Road - \$1,090,000/\$2,375,000
- Eddy Street Underpass Rehabilitation - \$900,000/\$1,057,000
- Custer Avenue Rehabilitation - \$900,000/\$3,695,700
- Annual Curb Ramp Installation – 155,000
- Webb Road Paving Assessment (City share) - \$120,000
- Old Potash Highway, North Road to Webb Road - \$7,875,000/\$15,735,000
- Broadwell/UPRR Grade Separation - \$125,000/\$18,350,000
- North Road, Highway 2 to 13<sup>th</sup> Street - \$2,540,000/\$11,648,080
- North Road, 13<sup>th</sup> Street to Old Potash Highway and North Road - \$15,000/\$4,595,296
- North Road; Old Potash Highway to Highway 30 - \$15,000/\$3,014,768
- North Moores Creek 80 Wetland Detention Design - \$150,000/\$1,700,000
- Northwest Flood Control Project - \$490,500
- Moores Creek Drain Extension - \$95,000/\$245,000
- Capital Avenue Drainage - \$250,000
- Platte Valley Industrial Park Outlet - \$200,000/\$600,000
- Capital Heights Drainage District - \$300,000
- Misc. Drainage Improvements – Various Locations - \$75,000

Total 2021 Capital Improvement Budget for projects funded by the Gas Tax was \$13,734,000 and projects funded by Sales Tax were \$1,585,500 for a total of \$15,319,500. Staff recommended approval. No public testimony was heard.

ORDINANCES:

#9773 – Consideration of Annexing Property being Platted as Brooklyn Subdivision an Addition to the City of Grand Island (Final Reading) (This item was pulled at the request of the owner.)

Councilmember Minton moved “that the statutory rules requiring ordinances to be read by title on three different days are suspended and that ordinances numbered:

#9777 - Consideration of Vacation of Utility Easements at 3860 S. Locust Street - Hooker Bros. Sand & Gravel, Inc.

#9778 - Consideration of Vacation of Utility Easement at 3551 North U.S. Highway 281 - Grone's/Tilleys

#9779 - Consideration of Vacation of Public Utility Easement in Sterling Estates Tenth Subdivision; 3793 Monarch Avenue (Starostka Group Unlimited, Inc.)

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.

#9777 - Consideration of Vacation of Utility Easements at 3860 S. Locust Street - Hooker Bros. Sand & Gravel, Inc.

Utilities Director Tim Luchsinger reported that there were two existing twenty (20) foot wide utility easements located at 3860 S. Locust Street. The existing two 20’ easements needed to be vacated and a new 20’ utility easement would be acquired for the existing underground electric service for the addition of a maintenance building for Hooker Bros. Sand & Gravel, Inc. Staff recommended approval.

Motion by Paulick, second by Stelk to approve Ordinance #9777.

City Clerk: Ordinance #9777 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 #9777 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 #9777 is declared to be lawfully adopted upon publication as required by law.

#9778 - Consideration of Vacation of Utility Easement at 3551 North U.S. Highway 281 - Grone's/Tilleys

Utilities Director Tim Luchsinger reported that the overhead primary electrical line that went through Lot Three (3), Pulte Second Subdivision (Grones at 3551 North U.S. Highway 281), had

been converted to underground and relocated to the front of the lot. The portion of the remaining easement consisted of overhead and underground lines and appurtenances. The vacation of this easement would allow the business owner to proceed with future building expansion. Staff recommended approval.

Motion by Hase, second by Conley to approve Ordinance #9778.

City Clerk: Ordinance #9778 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 #9778 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 #9778 is declared to be lawfully adopted upon publication as required by law.

#9779 - Consideration of Vacation of Public Utility Easement in Sterling Estates Tenth Subdivision; 3793 Monarch Avenue (Starostka Group Unlimited, Inc.)

Public Works Director John Collins reported that the current property owner of 3793 Monarch Avenue was requesting to vacate the public utility easement to allow for further development of the area. There was no utility currently or proposed within this easement that would be affected by the vacation. Staff recommended approval.

Motion by Stelk, second by Nickerson to approve Ordinance #9779.

City Clerk: Ordinance #9779 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 #9779 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 #9779 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of July 14, 2020 City Council Regular Meeting.

Approving Minutes of July 14, 2020 City Council Budget Work Session.

Approving Minutes of July 21, 2020 City Council Study Session.

Approving Re-Appointments of Jim Partington and Mike Spilinek to the Building Code Advisory Board.

#2020-163 - Approving Request from Leo's Market, LLC dba Leo's Market, LLC, 218 S. Wheeler Ave., for a Class "D" Liquor License and Liquor Manager Designation for Dayrin Ramirez, 104 Lakeview Circle Apt. #7, Grand Island, Nebraska.

#2020-164 - Approving Request from Havana Night, LLC dba Havana Night, 1403 S. Eddy Street, for a Class "I" Liquor License and Liquor Manager Designation for Thayris Manzano Gonzalez, 108 West 14th Street.

#2020-165 - Approving Final Plat and Subdivision Agreement for Anthem Subdivision. It was noted that Brian Levander, owner, had submitted the Final Plat and Subdivision Agreement for Anthem Subdivision located north of Westgate Road and east of North Road for the purpose of creating 2 lots on 8.9 acres.

#2020-166 - Approving Preliminary and Final Plat and Subdivision Agreement for Northwest Gateway Subdivision. It was noted that Famos Construction, Inc., owner, had submitted the Preliminary and Final Plat and Subdivision Agreement for Northwest Gateway Subdivision located south of NE Hwy 2, west of Idaho Avenue and north of East Nevada Avenue for the purpose of creating 15 lots on 5.516 acres.

#2020-167 - Approving Bid Award - Turbine Valve Overhaul at Platte Generating Station - Fall 2020 with GE Steam Power, Inc. of Windsor, Connecticut in an Amount of \$221,000.00.

#2020-168 - Approving Acquisition of Utility Easement - 3860 S. Locust Street - Hooker Bros. Sand & Gravel, Inc..

#2020-169 - Approving the Adoption of 2020 Hall County Local Emergency Operations Plan.

#2020-170 - Approving 2020-2021 Fee Schedule.

#2020-171 - Approving Amendment No. 1 to Engineering Consulting Agreement for Custer Avenue- Forrest Street to Old Potash Highway Roadway Rehabilitation; Project No. 2019-P-13 with Olsson, Inc. of Grand Island, Nebraska for an Increase of \$27,000.00 and a Revised Contract Amount of \$127,900.00.

#2020-172 - Approving Amendment No. 1 to Engineering Consulting Agreement for Eddy Street Underpass Rehabilitation; Project No. 2019-U-1 with Olsson, Inc. of Grand Island, Nebraska for an Increase of \$67,570.00 and a Revised Contract Amount of \$79,060.00.

#2020-173 - Approving Acquisition of Public Right-of-Way for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (CHT Grand Island NE Senior Living, LLC- 3990 W Capital Avenue).

#2020-174 - Approving Temporary Construction Easement for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (CHT Grand Island NE Senior Living, LLC- 3990 W Capital Avenue).

#2020-175 - Approving Change Order No. 1 for Annual Pavement Markings for the Streets Division of the Public Works Department with Straight-Line Striping, Inc. of Grand Island, Nebraska for an Increase of \$15,000.00 and a Revised Contract Amount of \$126,621.25.

RESOLUTIONS:

#2020-176 - Consideration of Approving Proposed Blighted and Substandard Area 31 for 1.69 Acres located South of South Street between Henry Street and the Grand Island Bike Trail (John Baasch Augers). This item was related to the aforementioned Public Hearing. Discussion was held regarding the condition of the property. John Baasch, 2408 Arrowhead Road answered questions.

Motion by Haase, second by Jones to approve Resolution #2020-176. Upon roll call vote, Councilmembers Conley, Haase, Jones, Minton, Nickerson, Paulick, and Stelk voted aye. Councilmembers Schutz and Scott voted no. Motion adopted.

#2020-177 - Consideration of Approving the Revised City Fiscal Policies. Finance Director Patrick Brown reported that the goals and objectives as stated in the 2006 fiscal policy manual were still pertinent today and provided the basis for the update. There was an effort to condense language, expand clarity, and bring concepts up to date, while maintaining the policy substance. Staff recommended approval.

Comments were made regarding having a Fiscal Policy since 1992 and over the years have been updated to keep up with the times. Mr. Brown answered questions regarding cash reserves/fund balances. He stated in the General Fund they would like to keep 30% in reserves. This Fiscal Policy was a guideline to be followed for fiscal responsibility. It was suggested that a range be put in the policy instead of 30% for the cash reserves/fund balance.

Motion by Haase, second by Schutz to approve Resolution #2020-177.

Motion by Nickerson, second by Schutz to amend the policy that the city shall maintain the fund balance of no less than 20% and no greater than 30%. Upon roll call vote, Councilmembers Conley, Haase, Jones, Minton, Nickerson, Paulick, Scott, and Stelk voted aye. Councilmember Schutz voted no. Motion adopted.

Discussion was held regarding the Enterprise Funds.

Upon roll call vote on the main motion, all voted aye. Motion adopted.

#2020-178 - Consideration of Approving to Retain the Services of a Bond Underwriting Firm. Finance Director Patrick Brown reported that Administration was wanting to explore the refinancing of the Sewer, Water and Electric bonds by issuing a Request for Proposal or such other method determined appropriate to obtain proposals from underwriting firms to serve as underwriter under the guidance of the City's financial advisor. Staff recommended approval.

Motion by Haase, second by Conley to approve Resolution #2020-178. Upon roll call vote, all voted aye. Motion adopted.

#2020-179 - Consideration of Approving One and Six Year Street Improvement Plan and Capital Improvement Projects. This item was related to the aforementioned Public Hearing. Discussion was held regarding the road construction by the Fire. Mr. Collins stated there would be an exit during construction of North Road. Broadwell Grade Separation was discussed. An overpass was being planned which would take some time to construct.

Motion by Minton, second by Stelk to approve Resolution #2020-179. Upon roll call vote, all voted aye. Motion adopted.

#2020-180 - Consideration of Approving Donation Agreement with JBS-USA for Hike Bike Trail Expansion and Playground Improvements. Parks and Recreation Director Todd McCoy reported that JBS had approached the City to provide \$1,000,000 of funding to build a new playground at the Veteran's Sports Complex and extend the existing beltline hike/bike trail system. The funding for this project comes from a recent JBS Hometown Strong initiative to support local communities. Staff recommended approval of the agreement.

JustinBstandig, 4139 Iowa Avenue spoke in support.

Motion by Minton, second by Nickerson to approve Resolution #2020-180. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Nickerson to approve the payment of claims for the period of July 15, 2020 through July 28, 2020 for a total amount of \$ \$5,605,725.94. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:21 p.m.

RaNae Edwards  
City Clerk