



City of Grand Island

Tuesday, December 22, 2020

Council Session

Item G-1

Approving Minutes of December 8, 2020 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
December 8, 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 December 8, 2020. Notice of the meeting was given in *The Grand Island Independent* on December 2, 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, Vaughn Minton, Julie Hehnke, Mitch Nickerson, Chuck Haase and Jason Conley was present by telephonic conferencing (all votes by Councilmember Conley were by telephone). Councilmember Clay Schutz was absent. The following City Officials were present: City Administrator Jerry Janulewicz, City Clerk RaNae Edwards, Assistant Finance Director Brian Schultz, Interim City Attorney Stacy Nonhof and Public Works Director John Collins.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Service of Councilmember Jeremy Jones – Ward 1. Mayor Steele and the City Council recognized Councilmember Jeremy Jones for his service to the community. Councilmember Jones was thanked for his service and was presented with a plaque.

Recognition of Service of Councilmember Julie Hehnke – Ward 3. Mayor Steele and the City Council recognized Councilmember Julie Hehnke for her service to the community. Councilmember Hehnke was thanked for her service and was presented with a plaque.

Approving Minutes of November 23, 2020 City Council Special Meeting. Motion by Paulick, second by Stelk to approve the minutes of the November 23, 2020 City Council Special meeting. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of November 24, 2020 City Council Regular Meeting. Motion by Nickerson, second by Jones to approve the minutes of the December 24, 2020 City Council Regular meeting. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Approving Payment of Claim to Community Publishers. Councilmember Haase stated he pulled this item from the November 24, 2020 City Council meeting. This claim was in the amount of \$1,895.00 to Community Publishers for 15,000 interstate exit guides. He felt we needed to take a pause and we needed a marketing plan.

City Administrator Jerry Janulewicz stated the advertisement for the water park was different than the advertisement for the lifeguards that was discussed at the last meeting. Parks and Recreation Director Todd McCoy stated the advertisement with Community Publishers was

getting ready to go to print. He suggested this was not the time to change what they had been doing, but to look at it during the budget process.

Motion by Haase, second by Paulick to deny the payment of \$1,895.00 to Community Publishers. Upon roll call vote, Councilmembers Haase, Paulick, and Scott voted aye. Councilmembers Conley, Hehnke, Jones, Minton, Nickerson, and Stelk voted no. Motion failed.

Motion by Nickerson, second by Hehnke to approve the payment of \$1,895.00 to Community Publishers. Upon roll call vote, Councilmembers Conley, Jones, Minton, Nickerson, Paulick, and Stelk voted aye. Councilmembers Haase, Hehnke, and Scott voted no. Motion adopted.

Approving Payment of Claims for the Period of November 25, 2020 through December 8, 2020.

Motion by Minton, second by Stelk to approve the payment of claims for the period of November 25, 2020 through December 8, 2020 for a total amount of \$5,626,336.48. Upon roll call vote, all voted aye. Motion adopted.

Acceptance of Election Certificate: Motion by Minton, second by Paulick to accept the Election Certificate for the November 3, 2020 General Election. Upon roll call vote, all voted aye. Motion adopted.

Comments by Outgoing Elected Officials – Councilmembers Jeremy Jones – Ward 1 and Julie Hehnke – Ward 3. Both Jeremy and Julie thanked the community for the opportunity to serve on the City Council. They also thanked City staff and the people they had worked with.

Recess. Council took a short recess at 7:43 p.m. and reconvened at 7:47 p.m.

Administration of Oath to Newly Elected and Re-Elected Councilmembers followed by Roll Call: City Clerk RaNae Edwards administered the Oath of Office to newly elected Councilmembers Michelle Fitzke – Ward 1 and Bethany Guzinski – Ward 3 and re-elected Councilmembers Mark Stelk – Ward 2, Mike Paulick – Ward 4, and Chuck Haase – Ward 5. The following members were present: Mayor Steele, Councilmember's Haase, Nickerson, Minton, Guzinski, Fitzke, Stelk, Scott, Paulick and Conley was present by telephonic conferencing (all votes by Councilmember Conley were by telephone). Councilmember Schutz was absent.

Comments by Newly Elected and Re-Elected Officials:

Councilmember's Michelle Fitzke and Bethany Guzinski thanked the support of the voters in their wards especially during these times with the pandemic.

Election of City Council President: Mayor Steele reported that the City Council was required to elect one Councilmember to the office of Council President for a term of one year and that the Council President automatically assumed the duties of the Mayor in the event that the Mayor was absent or otherwise unable to fulfill his duties. Nebraska law allows the election of the Council President to be by secret ballot. The total number of votes for each candidate; however, must be stated and recorded in the Minutes. Past practice has included a run-off election between the top two nominees, if necessary. The City Clerk prepared and distributed ballots.

Councilmember Nickerson nominated Councilmember Paulick. Councilmember Paulick nominated Councilmember Nickerson.

City Clerk RaNae Edwards called for the first ballot. It was reported that Councilmember Paulick had received 6 votes and Councilmember Nickerson had received 3 votes. Mayor Steele declared Councilmember Paulick the Council President for 2021.

PUBLIC HEARINGS:

Public Hearing on Request from Chicken Coop of Grand Island, Inc. dba Chicken Coop Sports Bar and Grill, 103 East 3rd Street for an Addition to Class "CG-062016" Liquor License. City Clerk RaNae Edwards reported that an application for an addition to Class "CG-062016" Liquor License had been received from Chicken Coop of Grand Island, Inc. dba Chicken Coop Sports Bar and Grill, 103 East 3rd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on November 16, 2020; notice to the general public of date, time, and place of hearing published on November 28, 2020; notice to the applicant of date, time, and place of hearing mailed on November 16, 2020. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 3447 North Highway 281 - Kramer's Auto Parts and Iron Company, Inc. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 3447 North Highway 281 was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Kramer's Auto Parts and Iron Company, Inc. had requested a new three-phase electrical service for an iron crusher. 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 Request from Island Landhandlers, Inc. for a Conditional Use Permit for a Sand and Gravel Operation located at 3812 South Blaine Street. Building Department Director Craig Lewis reported this request was for approval to allow an additional ten years of operation of the sand and gravel facility for Island Landhandlers, Inc. Staff recommended approval with conditions. No public testimony was heard.

Public Hearing on Acquisition of Real Estate Property Described as a Triangular Tract of Land Lying North of the Intersection of South Webb Road and U.S. Highway 281. City Administrator Jerry Janulewicz reported that acquisition of real estate located near the intersection of US Highway 281 and South Webb Road was needed for a sculpture to honor Densel Rasmussen. The Grand Island Partnership for the Arts (GIPA) was seeking funding for the commission and installation of a sculpture to honor Mr. Rasmussen. There would be no cost to the City and if funding of the project didn't happen the property would revert back to NDOT. Staff recommended approval. No 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 (Peace Lutheran Church of Grand Island,

Nebraska- 1710 N North Road). Public Works Director John Collins reported that acquisition of public right-of-way located at 1710 N. North Road was needed to accommodate the intersection improvements for the North Road – 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Peace Lutheran Church of Grand Island, Nebraska- 1710 N North Road). Public Works Director John Collins reported that acquisition of a utility easement located at 1710 N. North Road was needed to accommodate the intersection improvements for the North Road – 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Permanent Utility Easement for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions at 4022 Driftwood Drive (Thomson). Public Works Director John Collins reported that acquisition of a permanent utility easement located at 4022 Driftwood Drive was needed to accommodate the construction of Sanitary Sewer District No. 544. 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:

- #9808 - Consideration of Approving City Code Amendments to Chapter 16, Adoption of the 2018 International Fire Code
- #9809 - Consideration of Vacation of Public Utility Easements in Lewis Acres Subdivision; 3225 W Wildwood Drive (Station 31, LLC)

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.

- #9808 - Consideration of Approving City Code Amendments to Chapter 16, Adoption of the 2018 International Fire Code

Fire Prevention Division Chief Fred Hotz reported that the City had for several decades adopted and enforced fire codes which regulate the construction of buildings within the City for the purpose of ensuring life safety and protecting property from fire and to provide safety to firefighters and emergency responders during emergency operations. This proposal was to amend City Code Chapter 16 to adopt the latest edition of the International Fire Code, that being the 2018 edition. Staff recommended approval.

Motion by Stelk, second by Paulick to approve Ordinance #9808.

City Clerk: Ordinance #9808 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 #9808 on second and final reading. All those in favor of this 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 #9808 is declared to be lawfully adopted upon publication as required by law.

#9809 - Consideration of Vacation of Public Utility Easements in Lewis Acres Subdivision; 3225 W Wildwood Drive (Station 31, LLC)

Public Works Director John Collins reported that the current property owner of 3225 West Wildwood Drive was requesting to vacate such dedicated easements to allow for redevelopment of the area. There were no utilities currently or proposed within these easements that would be affected by the vacation. Staff recommended approval.

Motion by Haase, second by Minton to approve Ordinance #9809.

City Clerk: Ordinance #9809 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 #9809 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 #9809 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-7 (Resolution #2020-322) was pulled from the agenda. Motion by Paulick, second by Stelk to approve the Consent Agenda excluding item G-7. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Tort Claim filed by Rosa Bustamante.

#2020-317 - Approving Request from Chicken Coop of Grand Island, Inc. dba Chicken Coop Sports Bar and Grill, 103 East 3rd Street for an Addition to Class "CG-062016" Liquor License.

#2020-318 - Approving Bid Award - Water Main Project 2021-W-2 - Newcastle Road with the Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$147,273.85.

#2020-319 - Approving Acquisition of Utility Easement - 3447 N. Highway 281 - Kramer's Auto Parts and Iron Company, Inc.

#2020-320 - Approving Certificate of Final Completion for Water Main Project 2020-W-5 - Pleasant View Drive with Starostka Group Unlimited, Inc. of Grand Island, Nebraska.

#2020-321 - Approving Change Order #1 for Water Main Project 2020-W-2 (Greenwich Street) and Water Main Project 2020-W-3 (State Street) with Myers Construction of Broken Bow, Nebraska for a deduct of \$7,113.70 and an Revised Contract Amount of \$727,661.42.

#2020-322 - Approving Continuation of Sanitary Sewer District No. 545; Parkview Subdivision. This item was pulled from the agenda at the request of the Public Works Department.

#2020-323 - Approving Amendment No. 1 to Engineering Consulting Agreement for Wastewater Treatment Plant Paving Improvements; Project No. 2020-WWTP-1 with Olsson Associates of Grand Island, Nebraska for an increase of \$164,500.00 and a Revised Contract Amount of \$260,400.00.

#2020-324 - Approving Temporary Construction Easement for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Peace Lutheran Church of Grand Island, Nebraska- 170 N North Road and Starostka Group Unlimited, Inc. - 3853 & 3859 W Capital Avenue).

#2020-325 - Approving Acquisition of Public Right-of-Way for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Peace Lutheran Church of Grand Island, Nebraska- 1710 N North Road).

#2020-326 - Approving Acquisition of Public Utility Easement for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Peace Lutheran Church of Grand Island, Nebraska- 1710 N North Road).

#2020-327 - Approving Certificate of Final Completion for Moores Creek Drain Extension- North Road to Engleman Road; Project No. 2020-D-1 with Mid Nebraska Lan Developers, LLC of Aurora, Nebraska.

#2020-328 - Approving Acquisition of Permanent Utility Easement for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions at 4022 Driftwood Drive (Thomson).

#2020-329 - Approving Temporary Construction Easements for Sanitary Sewer District No. 544; Ellington Pointe and Westwood Park Subdivisions at 4007 Driftwood Drive (Pavelka).

#2020-330 - Approving Purchase of Owner Supplied Lab Equipment for Wastewater Treatment Plant Laboratory Renovations from Fisher Scientific of Pittsburgh, Pennsylvania in an Amount of \$37,379.81.

#2020-331 - Approving Acquisition of Real Estate Property Described as a Triangular Tract of Land Lying North of the Intersection of South Webb Road and U.S. Highway 281.

#2020-332 - Approving Interlocal Agreement with the Hall County Airport Authority for Airport Security.

#2020-333 - Approving Purchase of a 2020 Braun Type I Ambulance from North Central Emergency Vehicles of Lester Prairie, Minnesota in an Amount of \$304,500.00.

REQUESTS AND REFERRALS:

Consideration of Request from Riverside Golf Club Regarding Hours for Sale of Alcohol. City Clerk RaNae Edwards reported that the City had received a request for a Future Agenda Item. Tom Foutch with Riverside Golf Club was requesting the City Council to change Chapter 4 of the Grand Island City Code relative to the sale of alcohol on Sundays. His request was to allow the sale and consumption of alcohol starting at 9:00 a.m. on Sunday's.

Motion by Paulick, second by Guzinski to refer this item to the December 22, 2020 City Council meeting for consideration of a City Code change. Upon roll call vote, Councilmember's Conley, Fitzke, Guzinski, Minton, Nickerson, Paulick, Scott, and Stelk voted aye. Councilmember Haase voted no. Motion adopted.

Consideration of Approving Request from Island Landhandlers, Inc. for a Conditional Use Permit a Sand and Gravel Operation located at 3812 South Blaine Street. This item was related to the aforementioned Public Hearing.

Motion by Minton, second by Stelk to approve the request from Landhandlers, Inc. for a continuation of a Sand and Gravel Operation. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2020-334 - Consideration of Approving Appointment of Celine Swan as Library Director. Mayor Steele presented the appointment of Celine Swan as Library Director.

Motion by Minton, second by Paulick to approve Resolution #2020-334. Upon roll call vote, all voted aye. Motion adopted.

Ms. Swan was present and thanked the Council for the appointment and looked forward to bringing new ideas to the library.

#2020-316 - Consideration of Approving Management of Jackrabbit Run Golf Course. City Administrator Jerry Janulewicz reported that with the retirement of Don Kruse the City went out for proposals for experienced PGA professionals and golf management firms. One firm submitted a proposal. Staff was recommending Landscapes Unlimited of Lincoln, Nebraska for a five year agreement to employ and be responsible for all golf course staff and manage day-to-day operations in an amount of \$72,000 annually or 10% of the total revenue whichever was more.

Tom Everett and Devon Kastler, 1201 Aries Drive, Lincoln, Nebraska representing Landscapes Unlimited spoke in support and commented on the background of the company. They stated they had 60 properties in 21 states.

Joel Holling, 123 East Charles spoke of concerns of the future of his job at the golf course. Discussion was held concerning the current city employees positions. Mentioned was several other employees that were contracted and not city employees.

Motion by Haase, second by Scott to approve Resolution #2020-316. Upon roll call vote, Councilmembers Conley, Guzinski, Haase, Minton, Nickerson, Scott, and Stelk voted aye. Councilmembers Fitzke and Paulick voted no. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:30 p.m.

RaNae Edwards
City Clerk