



City of Grand Island

Tuesday, July 13, 2021

Council Session

Item G-1

Approving Minutes of June 22, 2021 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

June 22, 2021

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 June 22, 2021. Notice of the meeting was given in *The Grand Island Independent* on June 16, 2021.

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, Mark Stelk, Jason Conley, Bethany Guzinski, Maggie Mendoza, Mitch Nickerson, and Chuck Haase. Councilmembers Vaughn Minton and Justin Scott were 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.

INVOCATION was given by Pastor Ray Stone, First Faith United Methodist Church, 4190 West Capital Avenue followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Blighted and Substandard Study for CRA Area #32, (Josh Rhoads with Horizon Builders) located west of North Road on either side of Old Potash Highway, Grand Island, Nebraska. Regional Planning Director Chad Nabity reported that Josh Rhoads had commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 32. This study is approximately 43 acres of property located west of North Road and including property both north and south of Old Potash Highway in western Grand Island. Staff recommended approval. Keith Marvin with Marvin Planning Consultants, David City, Nebraska; Zach Butz, Attorney for the applicant, 308 North Locust Street; and Josh Rhoads, 830 Bronze Road spoke in support. No further public testimony was heard.

Public Hearing on Changes to Chapter 36 of the Grand Island City Code Relative to (B-3) Heavy Business Zone and the Zoning Matrix. Regional Planning Director Chad Nabity reported that the Railside Business Improvement district had requested changes to the B-3 Heavy Business Zone to allow outdoor sales on property in the district. The B-3 Zone is only located in and around the Railside District. Staff had also reviewed the district regulations and was making additional changes to the district to further refine the allowed uses in the district. The changes proposed by staff would also be reflected in the Zoning Matrix. Staff recommended approval. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 3234 West Schimmer Drive (GIG Ventures, LLC). Utilities Director Tim Luchsinger reported that a utility easement was needed at 3234 West Schimmer Drive in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. GIG Ventures, LLC had requested a new electrical service to accommodate the upgrade to their 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 Acquisition of Utility Easement - 1814 N. Eddy (Casey's Retail Co.). Utilities Director Tim Luchsinger reported that a utility easement was needed at 1814 N. Eddy in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Casey's Retail Company had constructed a new store located at 1814 North Eddy Street in 2008. Paperwork for the relocation of a water main had never been completed. The easement would allow the Utilities Department to access, operate and maintain the water infrastructure previously installed at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on the Semi-Annual Report by the Grand Island Area Economic Development Corporation/Citizens Advisory Review Committee on the Economic Development Program Plan. Dave Taylor, President of the Grand Island Area Economic Development Corporation and David Koubek, Chairman of the Citizens Advisory Review Committee presented the Semi-Annual Report. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Permanent Utility Easement for Sanitary Sewer District No. 287; 18th Street from Walnut Street to Wheeler Avenue. Public Works Director John Collins reported that Public utility easements were needed to accommodate the construction, operation, maintenance, extension, repair, replacement, and removal of sanitary sewer in Sanitary Sewer District No. 287; 18th Street from Walnut Street to Wheeler Avenue. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

- #9830 - Consideration of Vacation of Utility Easements - 3625 Old Potash Highway - Hornady Manufacturing
- #9831 - Consideration of Approving Changes to Chapter 27 of the Grand Island City Code Relative to Procurement
- #9832 - Consideration of Approving Changes to Chapter 36 of the Grand Island City Code Relative to (B-3) Heavy Business Zone and the Zoning Matrix
- #9833 - Consideration of Vacation of Public Right-of-Way in Baker's Addition; Between 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30
- #9834 - Consideration of Approving Salary Ordinance
- #9835 - Consideration of Approving Changes to Chapter 2 of the Grand Island City Code Relative to Public Works Director Job Description

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.

- #9830 - Consideration of Vacation of Utility Easements - 3625 Old Potash Highway - Hornady Manufacturing

Utilities Director Tim Luchsinger reported that Hornady Manufacturing had requested the vacation of two unoccupied utility easements located at their manufacturing plant located at 3625 Old Potash Highway. Staff recommended approval.

Motion by Paulick, second by Stelk to approve Ordinance #9830.

City Clerk: Ordinance #9830 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 #9830 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 #9830 is declared to be lawfully adopted upon publication as required by law.

#9831 - Consideration of Approving Changes to Chapter 27 of the Grand Island City Code Relative to Procurement

Interim City Attorney Stacy Nonhof reported that the purpose of this ordinance was to update Chapter 27 of the Grand Island City Code and bring it into compliance with State Statute with regards to procurement. Staff recommended approval.

Motion by Guzinski, second by Fitzke to approve Ordinance #9831.

Councilmember Haase stated he had several questions concerning this Ordinance and felt it would be best to discuss this during a Study Session.

Motion by Haase, second by Paulick to move Ordinance #9831 to a Study Session. Upon roll call vote, all voted aye. Motion adopted.

#9832 - Consideration of Approving Changes to Chapter 36 of the Grand Island City Code Relative to (B-3) Heavy Business Zone and the Zoning Matrix

This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Haase, second by Guzinski to approve Ordinance #9832.

City Clerk: Ordinance #9832 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 #9832 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 #9832 is declared to be lawfully adopted upon publication as required by law.

#9833 - Consideration of Vacation of Public Right-of-Way in Baker's Addition; Between 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30

Public Works Director John Collins reported that the section between 3rd Street and US Highway 30, from Garfield Avenue to US Highway 30 had been requested for vacation by the adjacent property owner. Due to several utilities being in this area a public utility easement would be retained over the complete section. Staff recommended approval.

Motion by Paulick, second by Guzinski to approve Ordinance #9833.

City Clerk: Ordinance #9833 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 #9833 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 #9833 is declared to be lawfully adopted upon publication as required by law.

#9834 - Consideration of Approving Salary Ordinance

Police Chief Robert Falldorf reported that the Police Department would like to implement a new lateral hiring incentive program that would allow Nebraska and out of state certified applicants to start on an equal pay step with the City, as our current program does, along with two additional added incentives of \$1,500 certification credit and 50 hours of comp time to be paid upon hire. Staff recommended approval.

Motion by Haase, second by Conley to approve Ordinance #9834.

City Clerk: Ordinance #9834 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 #9834 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 #9834 is declared to be lawfully adopted upon publication as required by law.

#9835 - Consideration of Approving Changes to Chapter 2 of the Grand Island City Code Relative to Public Works Director Job Description

Interim City Attorney Stacy Nonhof reported that the purpose of this ordinance was to bring Section 2-41 of City Code into compliance with State Statute. State Statute requires that the duties of the City Engineer/Public Works Director be done by a licensed professional engineer. Staff recommended approval.

Motion by Conley, second by Nickerson to approve Ordinance #9835.

City Clerk: Ordinance #9835 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 #9835 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 #9835 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-10 (Resolution #2021-143) was removed for further discussion. Motion by Paulick, second by Stelk to approve the Consent Agenda excluding item G-10. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of June 8, 2021 City Council Regular Meeting.

Approving Re-Appointments of Todd Enck, Marv Webb, Brad Kissler and Justin Oseka to the Building Code Advisory Board.

Approving Re-Appointment of Karl Kostbahn to the Occupation Tax Oversight Committee (Food & Beverage).

#2021-137 - Approving Acquisition of Utility Easement - 3234 West Schimmer Drive (GIG Ventures, LLC).

#2021-138 - Approving Acquisition of Utility Easement - 1814 N. Eddy Street (Casey's Retail Co.).

2021-139 - Approving Bid Award - 115 kV Relay Setting – 2021 with Mesa Associates, Inc. of Knoxville, Tennessee in an Amount of \$77,140.00.

#2021-140 - Approving Bid Award - Water Storage Tank Maintenance Program with Maguire Iron, Inc. of Sioux Fall, South Dakota in an Amount of \$160,569.00.

#2021-141 - Approving Bid Award - Electrostatic Precipitator Transformer-Rectifier with NWL, Inc. of Bordentown, New Jersey in an Amount of \$161,950.00.

#2021-142 - Approving Bobcat Excavator Lease Agreement for the Utilities Underground Division with Sourcewell in an Amount of \$5,800.00.

#2021-143 - Approving Resolution Directing Property Owner to Repair Sidewalk at 1208 N Broadwell Avenue. Public Works Director John Collins reported that the property owner had started the sidewalk repairs but had never finished it. The City would take the necessary steps to repair the sidewalk and assess the property owner for the costs.

Motion by Nickerson, second by Haase to approve Resolution #2021-143. Upon roll call vote, all voted aye. Motion adopted.

#2021-144 - Approving Agreement for the Nebraska Public Transportation Assistance Program.

#2021-145 - Approving Change Order No. 2 for Capital Avenue Drainage Improvements- North Road to Moores Creek; Project No. 2020-D-2 with Van Kirk Bros. Contracting for an Extension from June 14, 2021 to July 9, 2021.

#2021-146 - Approving Acquisition of Permanent Utility Easement for Sanitary Sewer District No. 287; 18th Street from Walnut Street to Wheeler Avenue.

#2021-147 - Approving Unified Planning Work Program (UPWP) for the Grand Island Area Metropolitan Planning Organization (GIAMPO) for the 2022 Fiscal Year Transportation Planning Program.

#2021-148 - Approving Relocation Compensation to Construction Rental, Inc. in Connection with Old Potash Highway Roadway Improvements; Project No. 2019-P-1 in an Amount of \$193,130.09.

#2021-149 - Approving Temporary Construction Easements for Sanitary Sewer Rehabilitation- Various Locations; Project No. 2020-S-8.

#2021-150 - Approving Acceptance of 2021 High Intensity Drug Trafficking Area (HIDTA) Grant.

#2021-151 - Approving Recruiting Firm for Search to Fill Assistant Public Works Director of Wastewater and Wastewater Plant Operations Engineer with ADK Consulting and Executive Search of Omaha, Nebraska in an Amount of \$22,600.00.

RESOLUTIONS:

#2021-152 - Consideration of Approving Blighted and Substandard Designation for CRA Area #32, (Josh Rhoads with Horizon Builders) located west of North Road on either side of Old Potash Highway, Grand Island, Nebraska. This item was related to the aforementioned Public Hearing. Josh Rhoads and Keith Marvin answered questions concerning the development of this area. Comments were made by Council that TIF projects were for redevelopment and this was for a new development.

Motion by Nickerson, second by Conley to approve Resolution #2021-152. Upon roll call vote, Councilmembers Nickerson, Guzinski, Conley, Stelk, and Fitzke, voted aye. Councilmembers

Haase, Mendoza, and Paulick voted no. Mayor Steele made the sixth and deciding vote to approve. Motion adopted.

#2021-153 - Consideration of Approving the Semi-Annual Report by the Grand Island Area Economic Development Corporation/Citizens Advisory Review Committee on the Economic Development Program Plan. This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Nickerson, second by Haase to approve Resolution #2021-153.. Upon roll call vote, all voted aye. Motion adopted.

#2021-154 - Consideration of Approving Economic Development Incentive Agreement with GIX Logistics, Inc. EDC Director Dave Taylor reported that GIX Logistics, Inc. had submitted the required LB-840 application for a forgivable loan in the amount of \$310,000.00. Proposed was the creation of 15 full-time equivalent (FTE) employees with an average hourly wage of \$29.50. Requested was \$310,000.00 for job creation, job training and infrastructure to be paid over three years. Staff recommended approval.

Motion by Guzinski, second by Paulick to approve Resolution #2021-154. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Guzinski, second by Nickerson to approve the payment of claims for the period of June 9, 2021 through June 22, 2021 for a total amount of \$5,196,378.47. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:44 p.m.

RaNae Edwards
City Clerk