



City of Grand Island

Tuesday, February 8, 2022

Council Session

Item G-1

Approving Minutes of January 25, 2022 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

January 25, 2022

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 January 25, 2022. Notice of the meeting was given in *The Grand Island Independent* on January 19, 2022.

Mayor Roger G. Steele called the meeting to order at 7:00 p.m. The following City Council members were present: Michelle Fitzke, Mark Stelk, Jason Conley, Vaughn Minton, Bethany Guzinski, Mitch Nickerson, Maggie Mendoza and Chuck Haase. Councilmembers Mike Paulick 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 Father Don Buhrman, St. Leo's Catholic Church, 2410 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Proposed Blighted and Substandard Area 35 for approximately 3.4 Acres located in the Northwest Part of Grand Island at Capital Avenue and Engleman Road (Engleman School) (Grand Island Public Schools). Regional Planning Director Chad Nabity reported that Grand Island Public Schools had commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 35. This study was approximately 3.4 acres of property located along the north side of Capital Avenue and east of Engleman Road (Old Engleman Elementary School) in northwest Grand Island. Staff recommended approval. Keith Marvin, David City and Dan Petsch, 1734 Ingalls Street spoke in support. No further public testimony was heard.

Public Hearing on Proposed Blighted and Substandard Area 36 for approximately 55.3 Acres located in the Northwest Part of Grand Island on either side of Independence Avenue and South of Nebraska Highway 2 (Empire Development). Regional Planning Director Chad Nabity reported that FAmos Construction and O'Neill Wood Resources commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 36. This study was approximately 55.4 acres of property located on either side of Independence Avenue south of Nebraska Highway 2 in northwest Grand Island. Staff recommended approval. Keith Marvin, David City, Zach Butz, 308 North Locust Street, and Amos Anson, 4234 Arizona Drive spoke in support. No further public testimony was heard.

Public Hearing on Redevelopment Plan for CRA No. 1 for Property located at 118 North Locust Street (Artisan's Alley LLC). Regional Planning Director Chad Nabity reported that Artisan's Ally LLC was proposing to renovate 118 West Second Street with commercial and residential uses on the first floor and second floor apartments. The property was zoned B-3 Heavy Business the proposed uses are permitted in this zoning district. Staff recommended approval. Amos

Anson, 4234 Arizona Drive spoke in support. No further public testimony was heard.

Public Hearing on Zoning Change to Property located North of State Street and West of Wheeler Avenue from B2 General Business, R3 Medium Density Residential and R2 Low Density Residential to R3-SL Medium Density Small Lot Residential (Mesner Development Co.). Regional Planning Director Chad Nabity reported that the owners of property east of the Five Points Super Saver and north of Blessed Sacrament Church (Ray O'Connor and the Grand Island Catholic Diocese) had requested that their property be rezoned pending a sale to Mesner Development to accommodate a planned townhouse development at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on Zoning Change to Property located at 641 Cherry Street from RD Residential Development to R3 Medium Density (John Nikodym). Regional Planning Director Chad Nabity reported that John Nikodym representing JNIK, LLC the owners of Lot 2 of Nikodym Second Subdivision was requesting that the zoning on property located at 641 Cherry Street be changed from RD Residential Development Zone to R2 Medium Density Residential. Mr. Nikodym was bringing forward a plan to create streets connecting Cherry Street and Bismark Road along with the development of 47 lots intended for single family detached and attached housing and duplexes. Staff recommended approval. John Nikodym, 655 South Cherry Street spoke in support. No further public testimony was heard.

Public Hearing on Changes to Chapter 36 of the Grand Island City Code Relative to 36-26; Permitted Obstruction in Required Yards, 36-76; Commercial Development Zone, 36-77; TD Travel Development, 36-78; RD Residential Development Zone and 36-96; Off Street Parking. Regional Planning Director Chad Nabity reported that the proposed changes to 36-26 would allow escape windows as an allowable projection into a setbacks. The changes to 36-76 would change the buffer yard requirements for internal lot line and right of way when the adjoining property was zoned either CD or RD and allow residential uses in the CD zone. The changes to 36-77 would add recreational centers and sports fields to the current conditional uses. The changes to 36-78 would change the buffer yard requirements for internal lot line and right of way when the adjoining property was zoned either CD or RD zone and clean up some language with the listed zoning districts. The changes to 36-96 would impact parking requirements for collective parking serving both residential and commercial properties in certain neighborhoods. Staff recommended approval. Amos Anson, 4234 Arizona Drive spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 655 S. Cherry St and 1010 E. Bismark Road (Nikodym). Utilities Director Tim Luchsinger reported that a utility easement was needed at 655 S. Cherry Street and 1010 E. Bismark Road in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Due to the re-subdividing of Nikodym Second Subdivision and to realign the current existing easement, the City would need to vacate two (2) existing easements and acquire a new sixteen (16.0) foot wide Utility Easement. The proposed easement would allow the Department to install, access, operate, and maintain the electrical infrastructure at this location. 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:

#9868 - Consideration of Approving Zoning Change to Property located North of State Street and West of Wheeler Avenue from B2 General Business, R3 Medium Density Residential and R2 Low Density Residential to R3-SL Medium Density Small Lot Residential (Mesner Development Co.)

#9869 - Consideration of Approving Zoning Change to Property located at 641 Cherry Street from RD Residential Development to R3 Medium Density (John Nikodym)

#9870 - Consideration of Vacation of Utility Easements - 655 S. Cherry and 1010 E. Bismark – Nikodym

#9871 - Consideration of Approving Changes 36 of the Grand Island City Code Relative to 36-26; Permitted Obstruction in Required Yards, 36-76; Commercial Development Zone, 36-77; TD Travel Development, 36-78; RD Residential Development Zone and 36-96; Off Street Parking

#9872 - Consideration of Vacation of Public Right-of-Way in Roberts Subdivision; Roberts Court (South of Roberts Street)

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.

#9868 - Consideration of Approving Zoning Change to Property located North of State Street and West of Wheeler Avenue from B2 General Business, R3 Medium Density Residential and R2 Low Density Residential to R3-SL Medium Density Small Lot Residential (Mesner Development Co.)

This item was related to the aforementioned Public Hearing. Staff recommended approval. Ray O’Connor, 2335 N. Webb Road answered question regarding commercial use issues.

Motion by Nickerson, second by Stelk to approve Ordinance #9868.

City Clerk: Ordinance #9868 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 #9868 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 #9868 is declared to be lawfully adopted upon publication as required by law.

#9869 - Consideration of Approving Zoning Change to Property located at 641 Cherry Street from RD Residential Development to R3 Medium Density (John Nikodym)
#9870 - Consideration of Vacation of Utility Easements - 655 S. Cherry and 1010 E. Bismark – Nikodym

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

Motion by Guzinski, second by Haase to approve Ordinance #9869.

City Clerk: Ordinance #9869 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 #9869 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 #9869 is declared to be lawfully adopted upon publication as required by law.

#9870 - Consideration of Vacation of Utility Easements - 655 S. Cherry and 1010 E. Bismark – Nikodym

Utilities Director Tim Luchsinger reported that John and Janice Nikodym were in the process of re-subdividing Nikodym Second Subdivision into lots for single family dwellings located at Cherry Street and Bismark Road. They had requested the vacation of two existing easements: a sixteen (16.0) foot wide Power Easement originally platted on Superbowl Subdivision and a twenty (20.0) foot wide Utility Easement described in Instrument Number 202004934, both recorded in the Hall County Register of Deeds Office. A new sixteen (16.0) foot wide Utility Easement would be acquired to cover the existing electrical services. Staff recommended approval.

Motion by Guzinski, second by Mendoza to approve Ordinance #9870.

City Clerk: Ordinance #9870 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 #9870 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 #9870 is declared to be lawfully adopted upon publication as required by law.

#9871 - Consideration of Approving Changes 36 of the Grand Island City Code Relative to 36-26; Permitted Obstruction in Required Yards, 36-76; Commercial Development Zone, 36-77; TD Travel Development, 36-78; RD Residential Development Zone and 36-96; Off Street Parking

This item was related to the aforementioned Public Hearing. Staff recommended approval. Discussion was held regarding parking.

Motion by Conley, second by Guzinski to approve Ordinance #9871.

City Clerk: Ordinance #9871 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 #9871 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 #9871 is declared to be lawfully adopted upon publication as required by law.

#9872 - Consideration of Vacation of Public Right-of-Way in Roberts Subdivision; Roberts Court (South of Roberts Street)

Public Works Director John Collins reported that the section of Roberts Court, south of Roberts Street had been requested for vacation by the adjacent property owner. The adjacent property owner was working with the Planning Department to replat the six (6) lots they own on either side of Roberts Court into two (2) lots in CGI Subdivision. The area of Roberts Court serves no useful purpose as it had no destination points. The utilities within this area would become private with this vacation. Staff recommended approval.

Motion by Conley, second by Minton to approve Ordinance #9872.

City Clerk: Ordinance #9872 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 #9872 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 #9872 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-7 (Resolution #2022-23) was pulled for further discussion. Motion by Stelk, second by Mendoza to approve the Consent Agenda excluding item G-7. Upon roll call vote, all voted aye. Motion adopted.

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Approving Preliminary Plat for Nikodym Third Subdivision. It was noted that JNIK, Inc., owner, had submitted the Preliminary Plat for Nikodym Third Subdivision located east of Cherry Street and north of Bismark Avenue for the purpose of creating 47 lots on 13.35 acres.

#2022-19 - Approving Final Plat for WWTP Subdivision. It was noted that the City of Grand Island, owner, had submitted the Final Plat and Subdivision Agreement for WWTP Subdivision located west of Shady Bend Road and south of Seedling Mile Road for the purpose of creating 2 lots on 87.415 acres.

#2022-20 - Approving Final Plat for C & C Smith Subdivision. It was noted that Curt Smith, owner, had submitted the Final Plat and Subdivision Agreement for C & C Smith Subdivision located north of Guenther Road and west of U.S. Highway 281 for the purpose of creating 1 lot on 2.75 acres.

#2022-21 - Approving Acquisition of Utility Easement - 655 S. Cherry St and 1010 E. Bismark Road (Nikodym).

#2022-22 - Approving Amendment No. 1 to the Renewable Energy Credit Purchase with Invenergy, Inc.

#2022-23 - Approving Purchase of a 2023 Aerial Truck for the Line Division from Altec Industries, Inc. of St. Joseph, Missouri in an Amount of \$224,218.00. Utilities Director Tim Luchsinger reported that due to an estimated delivery date of 2024/2025 if was recommended to order a replacement truck as soon as possible. Discussion was held regarding the price for the 2023 truck and that the funds would be paid out of the 2024-2025 budget.

Motion by Nickerson, second by Minton to approve Resolution #2022-23. Upon roll call vote, all voted aye. Motion adopted.

#2022-24 - Approving Amendment No. 1 to Engineering Consulting Services for Wastewater Treatment Plant Flow Improvements; Project No. 2020-WWTP-4 with HDR Engineering, Inc. of Omaha, Nebraska for an Increase of \$644,177.00 and a Revised Contract Amount of \$1,082,132.00.

#2022-25 - Approving Bid Award for Custer Avenue- Faidley Avenue to 13th Street Roadway Rehabilitation; Project No. 2021-P-8 (Phase II) with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$962,102.75.

#2022-26 - Approving Bid Award for Moores Creek Drainage Culvert Extension; Project No. 2021-D-2(A) with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$267,262.20.

#2022-27 - Approving Agreement for Preliminary Design Services for Stolley Park Roadway and Parking Improvements for the Parks & Recreation Department with Alfred Benesch & Co. of Grand Island, Nebraska in an Amount of \$34,922.00.

#2022-28 - Approving Environmental Review Consultation for Properties Owned and/or Managed by Hall County Housing Authority.

RESOLUTION:

#2022-29 - Consideration of Approving Proposed Blighted and Substandard Area 35 for approximately 3.4 Acres located in the Northwest Part of Grand Island at Capital Avenue and Engleman Road (Engleman School) (Grand Island Public Schools). This item was related to the aforementioned Public Hearing. Dan Petsch, 1734 Ingalls Street answered questions regarding the removal of the building.

Motion by Minton, second by Conley to approve Resolution #2022-29. Upon roll call vote, all voted aye. Motion adopted.

#2022-30 - Consideration of Approving Proposed Blighted and Substandard Area 36 for approximately 55.3 acres located in the Northwest Part of Grand Island on either side of Independence Avenue and South of Nebraska Highway 2 (Empire Development). This item was related to the aforementioned Public Hearing.

Motion by Guzinski, second by Nickerson to approve Resolution #2022-30. Upon roll call vote, Councilmembers Haase, Nickerson, Mendoza, Guzinski, Minton, Conley, and Stelk voted aye. Councilmember Fitzke voted no. Motion adopted.

#2022-31 - Consideration of Approving the Redevelopment Plan for CRA No. 1 for Property located at 118 North Locust Street (Artisan's Alley LLC). This item was related to the aforementioned Public Hearing.

Motion by Stelk, second by Guzinski to approve Resolution #2022-31. Upon roll call vote, all voted aye. Motion adopted.

#2022-32 - Approving Establishing a Police and Fire Personnel Stabilization Fund. Finance Director Patrick Brown reported that the proposed Police and Fire Personnel Stabilization fund was intended to insure that first responders are not laid off during difficult economic times. Administration was proposing to invest \$1,000,000 into a newly created Police and Fire Stabilization Fund. If funds were used out of the Police and Fire Stabilization Fund, then replenishment of the fund would come from Police and Fire vacancy savings but only after the General Funds cash reserves meet the City's Fiscal Policy.

Police Chief Robert Falldorf and Fire Chief Corey Schmidt spoke in support. Mayor Steele stated he brought this item forward. Discussion was held regarding this money would be used for personnel costs only and not new positions.

Motion by Conley, second by Nickerson to approve Resolution #2022-32. Upon roll call vote, Councilmembers Nickerson, Mendoza, Minton, Conley, Stelk, and Fitzke voted aye. Councilmembers Haase and Guzinski voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Mendoza to approve the payment of claims for the period of January 12, 2022 through January 25, 2022 for a total amount of \$4,245,516.06. Upon roll call vote, Councilmembers Nickerson, Mendoza, Guzinski, Minton, Conley, Stelk, and Fitzke voted aye. Councilmember Haase voted no. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:18 p.m.

RaNae Edwards
City Clerk