



# **City of Grand Island**

**Tuesday, July 26, 2022**

**Council Session**

## **Item G-1**

**Approving Minutes of July 12, 2022 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
July 12, 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 July 12, 2022. Notice of the meeting was given in *The Grand Island Independent* on July 6, 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, Bethany Guzinski, Maggie Mendoza, Mitch Nickerson, and Chuck Haase. Councilmembers Mike Paulick, Justin Scott and Vaughn Minton were absent. The following City Officials were present: City Administrator Jerry Janulewicz, City Clerk RaNae Edwards, Interim City Attorney Stacy Nonhof, Finance Director Patrick Brown, and Interim Public Works Director Keith Kurz.

INVOCATION was given by Father Jorge Canela, St. Mary's Cathedral, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Steele stated there were several Councilmembers that requested the Study Session secluded for tonight be moved to July 19, 2022. Motion by Fitzke, second by Haase to move the July 12, 2022 Study Session to July 19, 2022. Upon roll call vote, all voted aye. Motion adopted.

PUBLIC HEARINGS:

Public Hearing on the One & Six Year Street Improvement Plan. Interim Public Works Director Keith Kurz presented the One & Six Year Street Improvement Plan. Reviewed were the Capital Projects for 2022/2023. He stated this public hearing would be left open with Council action on the July 26, 2022 City Council meeting. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 3212 S. Locust St (Bosselman, Inc.). Utilities Director Tim Luchsinger reported that a utility easement was needed at 3212 South Locust Street in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The Grand Island Utilities Department needed to upgrade the underground electric infrastructure along Ramada Road. 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.

Public Hearing on Request from MidAmerica Washout, LLC for a Conditional Use Permit for a Livestock Trailer Washout facility located at 4009 W. Wood River Road in the NE 1/4, Sec. 23-10-10 - Southwest Corner of the Intersection of Wood River Road and North Road. Regional Planning Director Chad Nabity reported that an application had been received from Mid America Truck Wash, LLC for a Conditional Use Permit for a truck washout facility located at 4009 W. Wood River Road. The facility proposed was within the 2 mile extraterritorial jurisdiction of the City but the lagoons on this property were outside the 2 mile extraterritorial jurisdiction. Staff

recommended approval with several conditions, one being prior to issuance of building permits for the facility the applicant shall receive all necessary approvals from both the Nebraska Department of Environment and Energy (NDEE) and Hall County for the operation of the waste water treatment lagoons and solids storage associated with the treatment located on the southern side of this property or shall make provisions for connecting to municipal sewer.

The following people spoke in support:

- Steve Mossman, 134 So. 13<sup>th</sup> Street, Lincoln, NE
- Sara Ruda, 1514 County Road P Blvd, Aims, NE
- Matt Goeller, 3600 Holmes Park Road, Lincoln, NE
- Ed Nierodzik, Tilden, NE
- Charilie Bosselman, 3800 E. US Hwy 34
- Chad Ruda, 1514 County Road P Blvd. Aims, NE

The following people spoke in opposition:

- Craig Dixson, 2521 E. Hwy 34
- Jolene Bockmann, 6675 So. North Road
- Steve Bockmann, 6675 South No. Road
- Jeff Ewoldt, 6499 So. Engleman Road
- Dale Bockmann, 3858 W. Wood River Road
- Jeralyn Oberg, 4151 W. Wood River Road

Judd Allan, 5750 W. Schultz Road, Alda, NE spoke in neutral position. No further public testimony was heard.

#### ORDINANCES:

#9885 - Consideration of Amendments to Chapter 5 of the Grand Island City Code Relative to Peacocks

Interim City Attorney Stacy Nonhof reported that currently there was no prohibition preventing ownership of peafowl within the City limits of Grand Island. Pursuant to a complaint by a citizen of Grand Island, this matter was addressed by the Animal Advisory Board on June 23, 2022. The request was made to have the City prohibit ownership of these birds as they are loud and create a nuisance. This Ordinance is in conformance of the directive of the Animal Advisory Board to prohibit ownership of these birds. This Ordinance does not address the peafowl that are already within the City limits, but would rather prohibit anyone from lawfully owning these birds in the future. The birds currently in Grand Island were not owned by anyone. Staff recommended approval.

Rita Hemmer, 1902 Eldorado Street spoke in support. Tonia Gleason, 1123, No. Geddes Street; Craig Oakleaf, 1911 Eldorado Street; and Jim Wagoner, 2304 W. Louis Street spoke in opposition.

Discussion was held regarding the noise and other animals that were not included in this ordinance.

Motion by Nickerson, second by Conley to approve Ordinance #9885 on first reading only.

City Clerk: Ordinance #9885 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Nickerson, Mendoza, and Conley voted aye. Councilmembers Haase, Guzinski, and Stelk voted no. Councilmember Fitzke abstained. Motion failed.

#9886 - Consideration of Amendments to Chapter 30 of the Grand Island City Code Relative to Applications for Permits

Interim Public Works Director Keith Kurz reported that it was brought to Staff's attention that Chapter 30-30 of City Code had not been updated with the City Council approved Fee Schedule regarding permit fees. Staff recommended approval.

Motion by Guzinskik, second by Stelk to approve Ordinance #9886 on first reading only.

City Clerk: Ordinance #9886 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Nickerson, Mendoza, Guzinski, Conley, Stelk, and Fitzke voted aye. Councilmembers Haase voted no. Motion adopted.

CONSENT AGENDA: Consent Agenda item G-11 (Resolution #2022-175) was removed from the agenda at the request of the Public Works Department. Consent Agenda item G-9 (Resolution #2022-173) was removed for further discussion. Motion by Guzinski, second by Fitzke to approve the Consent Agenda excluding items G-9 and G-11. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of June 28, 2022 City Council Regular Meeting.

Approving Appointment of Chris Schwieger to the Community Redevelopment Authority Board.

Approving Appointment of Alan Joos to the Civil Service Commission.

Approving Re-Appointments of Darwin Wicht, Leon Van Winkle, and Steve Meyer to the Tree Board.

Approving Request from Jess Berglund, 4243 Yarrow Drive for Liquor Manager Designation with Buffalo Wild Wings, 809 Allen Drive.

#2022-170 - Approving Acquisition of Utility Easement - 3212 S. Locust St (Bosselman, Inc.).

#2022-171 - Approving 2023-2025 Coal Purchase with Peabody Coal Sales from the Caballo Mine.

#2022-172 - Approving PGS Unit 1 Generator Protection Relays and Transformer Protection Relays from Graybar Electric Company, Inc. of Omaha, Nebraska in an Amount of \$147,872.69.

#2022-173 - Approving Preliminary Plat, Final Plat and Subdivision Agreement for Trinity Heights Subdivision. It was noted that Mesner Development Company, owner, had submitted the Preliminary Plat, Final Plat and Subdivision Agreement for Trinity Heights Subdivision located north of State Street and 18<sup>th</sup> Street and west of Wheeler Avenue for the purpose of creating 53 lots on 14.18 acres. Cliff Mesner, Central City, NE, developer of the subdivision answered questions regarding the development with regards to a walkway/drive by the church. He commented on the impact of the economy and the need for housing in Grand Island.

Motion by Nickerson, second by Stelk to approve Resolution #2022-173. Upon roll call vote, all voted aye. Motion adopted.

#2022-174 - Approving Bid Award for Lift Station No. 1 Rehabilitation; Project No. 2022-S-2 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$98,825.40.

#2022-175 - Resolution Directing Property Owner to Repair Sidewalk at 1320 N Broadwell Avenue.

#2022-176 - Approving Agreement for the Nebraska Public Transportation Assistance Program.

#2022-177 - Approving Certificate of Final Completion for Curb Ramp Project No. 2022-CR-1 with Galvan Construction, Inc. of Grand Island, Nebraska.

#2022-178 - Approving Temporary Construction Easements for Various Drainage Projects; Brookline Drive and Henry Street/South Street Intersection; Project No. 2021-D-1.

#2022-179 - Approving Bid Award for Lift Station No. 28 Equalization Tank; Project No. 2022-S-3 with SKM Turnkey Construction, LLC of Grand Island, Nebraska in an Amount of \$2,045,489.30.

#2022-180 - Approving Removal & Construction of 3 New Backstops at Ryder Park with American Fence Company of Grand Island, Nebraska in an Amount to \$47,255.00.

#### REQUESTS AND REFERRALS:

Consideration of Approving the Request from Mid America Truck Wash, LLC for a Conditional Use Permit for a Livestock Trailer Washout facility located at 4009 W. Wood River Road in the NE 1/4, Sec. 23-10-10 - Southwest Corner of the Intersection of Wood River Road and North Road. This item was related to the aforementioned Public Hearing.

Discussion was held regarding the cost, waste on the roads, the lagoons, odor and flooding in this area. Craig Dixon, 3521 E. Hwy 34 answered questions regarding his current facility on Stuhr Road which was not in operation as a truck wash. Chad Ruda, 1514 County Road P Blvd, Aims,

NE explained the process regarding the lagoon and how the truck wash would work. He mentioned there was pipe to the City sewer system at this location.

Motion by Stelk, second by Nickerson to approve the request from Mid America Truck Wash, LLC for a Conditional Use Permit for a livestock trailer washout facility located at 4009 W. Wood River Road contingent upon the conditions identified during the meeting. Upon roll call vote, Councilmembers Nickerson and Stelk voted aye. Councilmembers Haase, Mendoza, Guzinski, Conley, and Fitzke voted no. Motion failed.

RESOLUTIONS:

#2022-160 - Approving Award of Proposal for General Governmental Insurance Services. Finance Director Patrick Brown reported that Request for Proposals were received and reviewed for the General Governmental Insurance Services for the City. It was recommended to award the proposal to FNIC of Grand Island, Nebraska.

Jay Huston, 2511 Riverside Drive and Chris Rosacker, 206 S. Lincoln representing Ryder Rosacker McCue & Huston spoke in opposition. Jeff Vinson, 1527 Stagecoach Road and Todd Bartek, 30 Willowbend, Marquette, NE spoke in support.

Discussion was held concerning commissions, coverage, deductibles, and the process of the Request for Proposals.

Motion by Nickerson, second by Mendoza to approve Resolution #2022-160. Upon roll call vote, Councilmembers Nickerson, Mendoza, Guzinski, and Conley voted aye. Councilmembers Haase, Stelk, and Fitzke voted no. Motion failed.

PAYMENT OF CLAIMS:

Motion by Guzinski, second by Fitzke to approve the payment of claims for the period of June 29, 2022 through July 12, 2022 for a total amount of \$12,284,105.71. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 10:07 p.m.

RaNae Edwards  
City Clerk