



City of Grand Island

Tuesday, August 9, 2022

Council Session

Item G-2

Approving Minutes of July 26, 2022 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
July 26, 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 26, 2022. Notice of the meeting was given in *The Grand Island Independent* on July 20, 2022.

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, Michelle Fitzke, Mark Stelk, Jason Conley, Vaughn Minton, Bethany Guzinski, Mitch Nickerson, and Chuck Haase. Councilmember Maggie Mendoza was 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 Pastor Tim Kilstrom, Spirit of Life Church, 2304 Macron Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Zoning Change to Property located at 2548 and 2536 Carleton Avenue, Grand Island, Nebraska from RO Residential Office to B2 General Business. (Suzanne Bowden). Regional Planning Director Chad Nabity reported that the owners of property immediately north of Dairy Queen east of the Carleton Avenue and north of Capital Avenue (Suzanne Bowden and MidNebraska Foundation Inc.) had requested that their property be rezoned. Ms. Bowden would like to convert the old daycare site to a more commercial use and MidNebraska Foundation agreed to be included in the application. Staff recommended approval. No public testimony was heard.

Public Hearing on Zoning Change to Property located at 4720 East Seedling Mile Road, Grand Island, Nebraska from LLR Large Lot Residential to B2 General Business (Jose Ramirez). Regional Planning Director Chad Nabity reported that the owner of property immediately at the northwest corner of Seedling Mile Road and Gun Barrel Road (Jose Ramirez.) requested that the property be rezoned. Mr. Ramirez would like to renovate the Harmony Hall Building and use it as a reception hall/ballroom in a manner consistent with the historic uses of the property. Staff recommended denial.

The following people spoke in support:

- Jose Ramirez, 1104 N. Gunbarrel Road
- Marlyss Castillo, 228 4th Street
- Dan Hill, 3610 Arabian Circle
- Mariah Ramirez, 302 S. Pine Street
- David Hill, 333 Pheasant Drive
- Pedro Gutierrez, 322 4th Street

- Eduardo Corvarrubias, 544 Johnson Dr.

The following people spoke in opposition:

- Greg Erwin, 545 N. Gunbarrel Road
- Susie Dunn, 907. Gunbarrel Road
- JoAnn Albright, 1029 N. Gunbarrel

No further public testimony was heard.

RESOLUTIONS:

#2022-203 - Consideration of Approving the Labor Agreement between the City of Grand Island and the Fraternal Order of Police, Grand Island Lodge No. 24. Human Resource Director Aaron Schmid reported that the current agreement expires as of midnight September 30, 2022. The City and the FOP met to negotiate the terms of a new agreement and have reached a tentative agreement. Staff recommended approval.

Motion by Nickerson, second by Minton to approve Resolution #2022-203. Upon roll call vote, all voted aye. Motion adopted.

#2022-204 - Consideration of Approving Memorandum of Understanding between the City of Grand Island and the Fraternal Order of Police, Grand Island Lodge No. 24. Human Resource Director Aaron Schmid reported that the new labor agreement would begin October 1, 2022 and continue through September 30, 2025. Administration and the FOP were requesting to start portions of the contract early to promote recruiting and retention efforts. The department had experienced significant, prolonged staffing challenges. Administration and the FOP were requesting to start the portions effective August 14, 2020. Staff recommended approval.

Lieutenant Dale Hilderbrand and Sgt. Mike Nelson spoke in support.

Motion by Conley, second by Paulick to approve Resolution #2022-204. Upon roll call vote, all voted aye. Motion adopted.

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:

#9886 - Consideration of Amendments to Chapter 30 of the Grand Island City Code Relative to Applications for Permits (Second and Final Reading)

#9887 - Consideration of Approving Zoning Change to Property located at 2548 and 2536 Carleton Avenue, Grand Island, Nebraska from RO Residential Office to B2 General Business. (Mid Nebraska Foundation, Inc.)

#9888 - Consideration of Approving Zoning Change to Property located at 4720 East Seedling Mile Road, Grand Island, Nebraska from LLR Large Lot Residential to B2 General Business (Jose Ramirez)

#9889 - Consideration of Approving Salary Ordinance

#9890 - Consideration of Amendments to Chapters 16, 18, 26, 30 & 32 of the Grand Island City Code Relative to Fees

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.

#9886 - Consideration of Amendments to Chapter 30 of the Grand Island City Code Relative to Applications for Permits (Second and Final Reading)

Interim City Attorney Stacy Nonhof 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 Guzinski, second by Paulick to approve Ordinance #9886.

City Clerk: Ordinance #9886 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 #9886 is declared to be lawfully adopted upon publication as required by law.

#9887 - Consideration of Approving Zoning Change to Property located at 2548 and 2536 Carleton Avenue, Grand Island, Nebraska from RO Residential Office to B2 General Business. (Mid Nebraska Foundation, Inc.)

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

Motion by Paulick, second by Guzinski to approve Ordinance #9887.

City Clerk: Ordinance #9887 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 #9887 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 #9887 is declared to be lawfully adopted upon publication as required by law.

#9888 - Consideration of Approving Zoning Change to Property located at 4720 East Seedling Mile Road, Grand Island, Nebraska from LLR Large Lot Residential to B2 General Business (Jose Ramirez)

This item was related to the aforementioned Public Hearing. Staff recommended denial. Police Chief Robert Falldorf answered questions regarding other businesses like this regarding noise. He said there had been no problems for the Police Department with businesses like this.

Motion by Guzinski, second by Minton to approve Ordinance #9888.

City Clerk: Ordinance #9888 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 Haase, Guzinski, Minton, Conley, Stelk, and Fitzke voted aye. Councilmembers Nickerson and Scott voted no. Councilmember Paulick abstained. Motion adopted.

City Clerk: Ordinance #9888 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, Councilmembers Haase, Guzinski, Minton, Conley, Stelk, Fitzke, and Scott voted aye. Councilmember Haase voted no. Councilmember Paulick abstained. Motion adopted.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #98887 is declared to be lawfully adopted upon publication as required by law.

#9889 - Consideration of Approving Salary Ordinance

Human Resources Director Aaron Schmid explained the changes to the FOP labor agreement.

Motion by Stelk, second by Fitzke to approve Ordinance #9889.

City Clerk: Ordinance #9889 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 #9889 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 #98889 is declared to be lawfully adopted upon publication as required by law.

#9890 - Consideration of Amendments to Chapters 16, 18, 26, 30 & 32 of the Grand Island City Code Relative to Fees

Interim City Attorney Stacy Nonhof reported that it was brought to Staff's attention that Chapters 16, 18, 26, 30 & 32 of the Grand Island City Code had not been updated with the City Council approved Fee Schedule regarding permit fees. Staff recommended approval.

Motion by Guzinski, second by Stelk to approve Ordinance #9890.

City Clerk: Ordinance #9890 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 #9890 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 #98890 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 12, 2022 City Council Regular Meeting.

Approving Minutes of the July 19, 2022 City Council Study Session.

Approving Re-appointments of Jim Partington, Mike Spilinek, and Russ Canfield to the Building Code Advisory Board.

#2022-181 - Approving to Award the Market Participant Contract to NextEra Energy of Juno Beach, Florida.

#2022-182 - Approving Bid Award - Burdick Demo 2022 with Spirtas Wrecking Company of St. Louis, Missouri in and Amount of \$938,313.33.

#2022-183 - Approving State Fair Emergency Medical Service Agreement with the Grand Island Fire Department who will be Compensated in an Amount of \$30,550.00.

#2022-184 - Approving Bid Award for Annual Supply of Road Deicing Salt 2022-2023 with Blackstrap, Inc. of Neligh, Nebraska in an Amount of \$55.00 per ton.

#2022-185 - Approving Change Order No. 1 for Moores Creek Storm Sewer Improvements; Project No. 2021-D-2(B) with Nebraska Land Developers, LLC of Aurora, Nebraska for Time Extension from June 1, 2022 to September 30, 2022.

#2022-186 - Approving Bid Award for Lift Station No. 17 Improvements; Project No. 2021-S-9 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$1,574,703.47.

#2022-187 - Approving Amendment No. 1 to Engineering Consulting Services for Lift Station No. 17 Improvements; Project No. 2021-S-9 with Olsson, Inc. of Grand Island, Nebraska for an Increase of \$40,300.00 and a Revised Contract Amount of \$261,300.00.

#2022-188 - Approving Change Order No. 2 for Central Nebraska Regional Airport Sanitary Sewer Collection System Rehabilitation; Project No. 2017-S-4 with S. J. Louis Construction, Inc. of Rockville, Minnesota for an Increase of \$64,994.50 for a Revised Contract Amount of \$6,194,994.50.

#2022-189 - Approving Bid Award for Mowing at the Wastewater Treatment Plant with AB Service and Repair, LLC of Grand Island, Nebraska in an Amount of 1,400.00 per mowing.

#2022-190 - Approving Change Order No. 1 for Eddy Street Underpass Rehabilitation; Project No. 2019-U-1 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$74,953.36 and a Revised Contract Amount of \$1,416,418.26.

#2022-191 - Approving Change Order No. 1 for Moores Creek Drainage Culvert Extension; Project No. 2021-D-2(A) with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of \$67,907.19 and a Revised Contract Amount of \$335,169.39.

#2022-192 - Approving Bid Award for 2022 Sanitary Sewer Rehabilitation; Project No. 2022-S-1 with Insituform Technologies USA, LLC of Chesterfield, Missouri in an Amount of \$689,558.30.

#2022-193 - Approving Dell Computer Equipment Replacements in an Amount of \$77,645.00.

#2022-194 - Approving Final Plat and Subdivision Agreement for Island Subdivision. It was noted that Umbrella Development, LLC, owner, had submitted the Final Plat and Subdivision Agreement for Island Subdivision located north of Curran Avenue and the Intersection of Curran Avenue and Carleton Avenue for the purpose of creating 2 lots on 0.75 acres.

#2022-195 - Approving Agreement for Health Insurance Administration with BlueCross BlueShield (BCBS) Nebraska.

RESOLUTIONS:

#2022-196 - Consideration of Appointing Laura McAloon as City Attorney. Mayor Steele recommended his appointment of Laura McAloon as Grand Island City Attorney.

Motion by Haase, second by Nickerson to approve Resolution #2022-196. Upon roll call vote, all voted aye. Motion adopted.

#2022-197 - Consideration of Approving One and Six Year Street Improvement Plan. Interim Public Works Director Keith Kurz reported this was related to the Public Hearing on July 12, 2022.

Motion by Nickerson, second by Scott to approve Resolution #2022-197. Upon roll call vote, all voted aye. Motion adopted.

#2022-198 - Consideration of Approving 2022-2023 Fee Schedule. Finance Director Patrick Brown presented the proposed 2022-2023 Fee Schedule. Reviewed were the changes due to increasing costs to provide services.

Motion by Haase, second by Paulick to approve Resolution #2022-198. Upon roll call vote, all voted aye. Motion adopted.

#2022-199 - Consideration of Approving FY 2022-2023 Annual Budget for Railside Business Improvement District and Setting Date for Board of Equalization. Finance Director Patrick Brown reported that the City had received the 2022-2023 budget that provided for a total special assessment of \$134,815.04 within the Railside Business Improvement District. It was recommended that the Board of Equalization on the proposed assessments be set for August 30, 2022. Staff recommended approval.

Motion by Guzinski, second by Minton to approve Resolution #2022-199. Upon roll call vote, all voted aye. Motion adopted.

#2022-200 - Consideration of Approving FY 2022-2023 Annual Budget for Fonner Park Business Improvement District and Setting Date for Board of Equalization. Finance Director Patrick Brown reported that the City had received the 2022-2023 budget that provided for a total special assessment of \$53,202.00 within the Fonner Park Business Improvement District. It was recommended that the Board of Equalization on the proposed assessments be set for August 30, 2022. Staff recommended approval.

Motion by Scott, second by Conley to approve Resolution #2022-200. Upon roll call vote, all voted aye. Motion adopted.

#2022-201 - Consideration of Approving FY 2022-2023 Annual Budget for South Locust Street Business Improvement District and Setting Date of Board of Equalization. Finance Director Patrick Brown reported that the City had received the 2022-2023 budget that provided for a total special assessment of \$104,617.00 within the South Locust Street Business Improvement District. It was recommended that the Board of Equalization on the proposed assessments be set for August 30, 2022. Staff recommended approval.

Motion by Paulick, second by Guzinski to approve Resolution #2022-201. Upon roll call vote, all voted aye. Motion adopted.

#2022-202 - Consideration of Approving FY 2022-2023 Benefits for Vehicle Off-Street Parking District #3 and Setting Date of Board of Equalization. Finance Director Patrick Brown reported that the total special assessment of \$73,470.00 within the Parking District #3 was recommended. It was recommended that the Board of Equalization on the proposed assessments be set for August 30, 2022. Staff recommended approval.

Motion by Guzinski, second by Minton to approve Resolution #2022-202. Upon roll call vote, all voted aye. Motion adopted.

#2022-205 - Consideration of Scheduling City Council Study Sessions for 2022. Interim City Attorney Stacy Nonhof reported that a request had been made to schedule Study Sessions for the remainder of the 2022 calendar year. Comments were made by Council about the process of scheduling Study Sessions.

Motion by Haase, second by Paulick to approve Resolution #2022-205. Upon roll call vote, all voted aye. Motion adopted.

#2022-206 - Consideration of Approving Southwest Power Pool Market Participant Service Agreement. Utilities Director Tim Luchsinger reported that the Grand Island Electric Department participates in the Southwest Power Pool (SPP). This regional market was the current method that Nebraska utilities buy and sell power, and allows Grand Island to sell excess generation and purchase lower cost power when available. Staff recommended approving the SPP Market Participant Service Agreement to allow for the City's new representation in the Integrated Marketplace.

Motion by Haase, second by Paulick to approve Resolution #2022-206. Upon roll call vote, all voted aye. Motion adopted.

#2022-207 - Consideration of Approving Southwest Power Pool Metering Agent Service Agreement. Utilities Director Tim Luchsinger reported that the City of Grand Island had completed several forms and the necessary credit information in order to become a Market Participant in the SPP IM. The Metering Agenda Service Agreement was needed to establish correct contact information and terms and conditions as the City transitions to a new Market Participant Representative.

Motion by Haase, second by Paulick to approve Resolution #2022-207. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Guzinski to approve the payment of claims for the period of July 13, 2022 through July 26, 2022 for a total amount of \$5,504,067.54. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:53 p.m.

RaNae Edwards
City Clerk