



City of Grand Island

Tuesday, December 6, 2022

Council Session

Item 1

Approving Minutes of November 22, 2022 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

November 22, 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 November 22, 2022. Notice of the meeting was given in *The Grand Island Independent* on November 16, 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, Mark Stelk, Jason Conley, Vaughn Minton, Bethany Guzinski, Maggie Mendoza, and Mitch Nickerson. Councilmembers Michelle Fitzke and Chuck Haase were absent. The following City Officials were present: City Administrator Jerry Janulewicz, City Clerk RaNae Edwards, Finance Director Patrick Brown, City Attorney Laura McAloon and Interim Public Works Director Keith Kurz.

INVOCATION was given by Pastor Jeff Cartwright, Abundant Life Christian Center, 3411 West Faidley Avenue followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Zoning Change to Property located at 4060 Stauss Road from LLR Large Lot Residential to B2 General Business Zone (MII-Blondo, LLC). Regional Planning Director Chad Nabity reported that MII Blondo, LLC, owners of property at 4060 Stauss Road located north of Stauss Road and west of North Road were requesting a zoning change. They were expanding their storage offering on this property and would like the option to extend the zoning onto this property. They would be removing the dilapidated house from 4060 Stauss Road. Staff recommended approval. No public testimony was heard.

Public Hearing on Zoning Change for Property at the Conestoga Mall Located between Webb Rd & U.S. Highway 281 North of 13th Street to Include Amendments to the CD Commercial Development Zone & Change from CD Commercial Development Zone to RD Residential Development Zone (Woodsonia Acquisitions LLC). Regional Planning Director Chad Nabity reported that Woodsonia Hwy. 281, LLC had a contract to purchase the Conestoga Mall property at 3404 West 13th Street in Grand Island and was requesting changes to the CD Commercial Development Zone to facilitate redevelopment of this property along with changing a portion of the property in the northeast corner of the property to RD Residential Development Zone to allow for apartments at that location. Staff recommended approval. Mitch Hohlen representing Woodsonia Real Estate, Inc. spoke in support. No further public testimony was heard.

Public Hearing on Redevelopment Plan for CRA No. 28 for Property Located between Webb Road and U.S. Highway 281 North of 13th Street for Commercial and Residential Purposes (Woodsonia Acquisitions). Regional Planning Director Chad Nabity reported that Woodsonia Hwy. 281, LLC was proposing to redevelop the Conestoga Mall property at 3404 West 13th Street for commercial and residential purposes. Staff had prepared a redevelopment plan for this

property consistent with the TIF application. Staff recommended approval. Mary Berlie, representing the Economic Development Corporation and Brian Degan representing Olsson, Inc. spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 2550 S. Engleman Road (Gary and Dee Rowe). Utilities Director Tim Luchsinger reported that a utility easement was needed at 2550 S. Engleman Road. The proposed easement would allow the Utilities Department to install, access, operate, and maintain the electrical infrastructure at this location and resolve an inconsistency in the existing City easement rights and the installed power line and associated appurtenances. 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:

- #9904 - Consideration of Approving Zoning Change to Property located at 4060 Stauss Road from LLR Large Lot Residential to B2 General Business Zone (MII-Blondo, LLC)
- #9905 - Consideration of Approving Zoning Change for Property at Conestoga Mall between Webb Rd & U.S.Hwy 281 North of 13th Street to Include Amendments to the CD Commercial Development Zone & Change from CD Commercial Development Zone to RD Residential Development Zone (Woodsonia Acquisitions LLC)
- #9906 - Consideration of Approving Amendment (2022) Secure, Bipartisan American Miners & CARES Act to the Grand Island Police Officers' Retirement System Plan and Trust
- #9907 - Consideration of Approving Amendment (2022) Secure, Bipartisan American Miners & CARES Act to the Grand Island Firefighters' Retirement System Plan and Trust

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 failed.

- #9904 - Consideration of Approving Zoning Change to Property located at 4060 Stauss Road from LLR Large Lot Residential to B2 General Business Zone (MII-Blondo, LLC)

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

Motion by Paulick, second by Guzinski to approve Ordinance #9904.

City Clerk: Ordinance #9904 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 #9904 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 #9904 is declared to be lawfully adopted upon publication as required by law.

#9905 - Consideration of Approving Zoning Change for Property at Conestoga Mall between Webb Rd & U.S.Hwy 281 North of 13th Street to Include Amendments to the CD Commercial Development Zone & Change from CD Commercial Development Zone to RD Residential Development Zone (Woodsonia Acquisitions LLC)

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

Motion by Stelk, second by Paulick to approve Ordinance #9904.

City Clerk: Ordinance #9905 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 #9905 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 #9905 is declared to be lawfully adopted upon publication as required by law.

#9906 - Consideration of Approving Amendment (2022) Secure, Bipartisan American Miners & CARES Act to the Grand Island Police Officers' Retirement System Plan and Trust

Finance Director Patrick Brown reported that qualified retirement plans must be operated in accordance with applicable laws and regulations, including any changes in such laws and regulations from time to time. Plan documents periodically must be updated to reflect changes in such laws, regulations and plan operations. The Police retirement plan documents were last amended and restated on December 18, 2018. This amendment would incorporate recent changes via Amendment (2022) Secure, Bipartisan American Miners & CARES Act. Staff recommended approval.

Motion by Paulick, second by Conley to approve Ordinance #9906.

City Clerk: Ordinance #9906 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 #9906 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 #9906 is declared to be lawfully adopted upon publication as required by law.

#9907 - Consideration of Approving Amendment (2022) Secure, Bipartisan American Miners & CARES Act to the Grand Island Firefighters' Retirement System Plan and Trust

Finance Director Patrick Brown reported that qualified retirement plans must be operated in accordance with applicable laws and regulations, including any changes in such laws and regulations from time to time. Plan documents periodically must be updated to reflect changes in such laws, regulations and plan operations. The Firefighters retirement plan documents were last amended and restated on December 18, 2018. This amendment would incorporate recent changes via Amendment (2022) Secure, Bipartisan American Miners & CARES Act. Staff recommended approval.

Motion by Scott, second by Paulick to approve Ordinance #9907.

City Clerk: Ordinance #9907 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 #9907 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 #9907 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-17 (Resolution #2022-338) was pulled for further discussion. Motion by Guzinski, second by Stelk to approve the Consent Agenda excluding item G-17. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of November 8, 2022 City Council Regular Meeting.

Approving Minutes of November 15, 2022 City Council Study Session.

#2022-324 - Approving Request from Underground Café, LLC dba Underground Café, 3404 West 13th Street for a Class "I" Liquor License and Liquor Manager Designation for Jose Rendon, 2704 W. John Street.

#2022-325 - Approving Change Order No. 2 for Asphalt Resurfacing Project No. 2022-AC-1 with Gary Smith Construction Co., Inc. of Grand Island, Nebraska for an Increase of \$10,464.37 and a Revised Contract Amount of \$862,815.60.

#2022-326 - Approving Certificate of Final Completion for the 2022 Asphalt Resurfacing Project No. 2022-AC-1 with Gary Smith Construction Co., Inc. of Grand Island, Nebraska.

#2022-327 - Approving Certificate of Final Completion for Various Drainage Projects; Brookline Drive and Henry Street/South Street Intersection; Project No. 2021-D-1 with The Diamond Engineering Company of Grand Island, Nebraska.

#2022-328 - Approving Change Order No. 1 for Lift Station No. 28 Equalization Tank; Project No. 2022-S-3 with SKM Turnkey Construction, LLC of Grand Island, Nebraska for an Increase of \$31,245.07 and a Revised Contract Amount of \$2,076,734.37.

#2022-329 - Approving Skid Steer Buy-Back for Streets Division with Central Nebraska Bobcat of Grand Island, Nebraska in an Amount of \$24,635.14.

#2022-330 - Approving Contract Amendment No. 1 for Lift Station No. 1 Rehabilitation; Project No. 2022-S-2 with The Diamond Engineering Company of Grand Island, Nebraska for an Increase of 15,419.25 and a Revised Contract Amount of \$114,244.65.

#2022-331 - Approving Award of Professional Engineering Consulting Services for Veterans Legacy Development Improvements; Project No. 2022-P-7 with Olsson, Inc. of Grand Island, Nebraska in an Amount not-to-exceed \$76,500.00.

#2022-332 - Approving Changes to Speed Limit Resolution No. 2022-133.

#2022-333 - Approving PGS Coal Combustion Residual (CCR) Groundwater Services Task 20 with HDR Engineering, Inc. of Omaha, Nebraska in an Amount not-to-exceed \$13,890.00.

#2022-334 - Approving Acquisition of Utility Easement - 2550 S. Engleman Rd (Gary and Dee Rowe).

#2022-335 - Approving Grand Island Television (GITV) Upgrade and Designation of Sole Source Provider with AVI Systems of Omaha, Nebraska in an Amount of \$83,000.00.

#2022-336 - Approving Preliminary, Final Plat and Subdivision Agreement for Conestoga Mall Ninth Subdivision. It was noted that Woodsonia Hwy 281, LLC, owners, had submitted the Preliminary, Final Plat and Subdivision Agreement for Conestoga Mall Ninth Subdivision located at 3404 West 13th Street between Webb Road and U.S. Highway 281 north of 13th Street for the purpose of creating 14 Lots, 2 Outlots on 50.433 acres for the Preliminary Plat and 13 Lots and 1 Outlot on 50.433 acres for the Final Plat.

#2022-337 - Approving Construction of Public Restrooms to the Downtown Plaza Expansion Project through Grow Grand Island in an Amount of \$102,701.00.

#2022-338 - Approving Amendment No. 1 for Stolley Park Roadway and Parking Improvements Design with Alfred Benesch & Company of Grand Island, Nebraska for an Increase of \$57,255.00 and a Revised Agreement Amount of \$92,177.00. Parks and Recreation Director Todd McCoy reported that with the completion of the preliminary design it is now time to move forward with final paving design and construction services for improving Stolley Park roadways and parking. Mr. McCoy explained the updates to the park.

Motion by Nickerson, second by Minton to approve Resolution #2022-338. Upon roll call vote, all voted aye. Motion adopted.

#2022-339 - Approving Purchase of a Bobcat Toolcat Utility Unit for the Cemetery Division from Central Nebraska Bobcat of Grand Island, Nebraska in an Amount of \$66,771.41.

#2022-340 - Approving Bid Award - Purchase of Six (6) 36" Cut Mowers for Cemetery Division from Buffalo Outdoor Power of Gibbon, Nebraska in an Amount of \$30,552.00.

RESOLUTIONS:

#2022-341 - Consideration of Approving Redevelopment Plan for CRA No. 28 for Property Located between Webb Road and U.S. Highway 281 North of 13th Street for Commercial and Residential Purposes (Woodsonia Acquisitions). This item was related to the aforementioned Public Hearing. City Attorney Laura McAloon explained the alternative language that was presented to the Council. Mitch Hohlen stated they were reviewing the changes.

Motion by Minton, second by Paulick to approve Resolution #2022-341 with the alternative language included. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Minton, second by Paulick to approve the payment of claims for the period of November 9, 2022 through November 22, 2022 for a total amount of \$5,180,929.04. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 7:43 p.m.

RaNae Edwards
City Clerk