



# **City of Grand Island**

**Tuesday, February 14, 2023**

**Council Session**

## **Item G-1**

### **Approving Minutes of January 24, 2023 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

## CITY OF GRAND ISLAND, NEBRASKA

### MINUTES OF CITY COUNCIL REGULAR MEETING

January 24, 2023

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 24, 2023. Notice of the meeting was given in *The Grand Island Independent* on January 18, 2023.

Mayor Roger G. Steele called the meeting to order at 7:00 p.m. The following City Council members were present: Bethany Guzinski, Chuck Haase, Jack Sheard, Mike Paulick, Michelle Fitzke, Mark Stelk, Mitch Nickerson, Doug Lanfear and Jason Conley. Councilmember Maggie Mendoza was absent. The following City Officials were present: City Clerk RaNae Edwards, Finance Director Patrick Brown, City Attorney Laura McAloon and Interim Public Works Director Keith Kurz.

INVOCATION was given by Father Don Buhrman, St. Leo's Catholic Church, 2410 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

#### PRESENTATIONS AND PROCLAMATIONS:

Presentation and Discussion Regarding Allocation ARPA Funds. Finance Director Patrick Brown reported that in response to the COVID-19 pandemic, the United States Congress adopted the American Rescue Plan Act (ARPA) and established the Coronavirus State and Local Fiscal Recovery Fund (SLFRF). The City of Grand Island (City) had received its second tranche of ARPA funding in the amount of \$4.5 million. Together with the remaining funds from the first tranche of funding, the City had approximately \$5.5 million available for allocation to eligible projects.

Mr. Brown explained what the ARPA and SLFRE Funds could be used for such as: public health response costs; government infrastructure funding for water, sewer or broadband services; government employee retention and replacement; and replacement of lost governmental revenue.

Administration had come to the conclusion that the SLFRF funds should be used to satisfy the Council's commitment to provide infrastructure funding to the Conestoga Marketplace redevelopment project. This recommendation was based on the following:

1. The \$5,500,000 investment in the Conestoga Marketplace redevelopment would qualify for an ARPA funding expenditure. The \$5.5 million, as agreed to in the redevelopment agreement, would be spent on infrastructure of the mall property, including but not limited to water, sewer, electric, and road construction.
2. If we use General Fund cash reserves to pay for the Conestoga Marketplace investment, then we would need to find another project or projects to spend SLFRF funds. In essence, the General Fund reserves would decrease by the \$5.5 million investment in Conestoga Marketplace and \$5.5 million for the SLFRF project totaling an \$11 million reduction in

General Fund cash reserves. By using SLFRF funds for the Conestoga Marketplace project, City Council now has the option of using or not use cash reserves for another project.

Mr. Brown stated the General Fund had significant cash reserves which made the two options listed above viable. However due to the high cost of inflation, interest rate hikes, and supply line issues, it might be in the best interest of the City to hold on to those cash reserves and spend those reserves on projects in the future when costs start easing.

Reviewed was a list of other projects that would eventually need to be done. Jay Vavricek, 2729 Brentwood Boulevard commented about this item being under Presentations and Proclamations. He suggested the Council ask the public where they would like the \$5.5 million to go towards.

#### PUBLIC HEARINGS:

Public Hearing on Request from Duysen Enterprises, LLC dba The Upper Deck, 2110 West 2nd Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received from Duysen Enterprises, LLC dba The Upper Deck, 2110 West 2nd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on December 22, 2022; notice to the general public of date, time, and place of hearing published on January 14, 2023; notice to the applicant of date, time, and place of hearing mailed on January 4, 2023. Staff recommended denial based on the Police Department report of an active warrant for Mr. Duysen's arrest in the State of Minnesota. No public testimony was heard.

#### ORDINANCES:

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

#9915 - Consideration of Vacation of Public Right-of-Way in Section 12-11-10; North of State Street, East of North Road (Parcel No. 400523168)

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 this ordinance 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.

Public Works Department Interim Director Keith Kurz reported that to allow access during construction of the North Road- 13<sup>th</sup> Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 the City of Grand Island acquired right-of-way north of State Street, east of North Road. With the project complete there was no need for the City to retain this parcel. Ownership of the vacated right-of-way would revert to the adjacent property owner directly south of Parcel No. 400523168.

Motion by Haase, second by Paulick to approve Ordinance #9915.

City Clerk: Ordinance #9915 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 #9915 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 #9915 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-11, G-12, G-13, G-14 and G-15 (Resolutions #2023-24, #2023-25, #2023-26, #2023-27, and #2023-28) were pulled for further review Motion by Paulick, second by Stelk to approve the Consent Agenda excluding item G-. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of January 10, 2023 City Council Regular Meeting.

Approving Councilmembers Appointments to Boards and Commissions.

#2023-16 - Approving Budget Software Annual Renewal with SHI International Corp for the OpenGov Budget Software in an Amount of \$49,019.34.

#2023-17 - Approving Final Plat and Subdivision Agreement for Ben R Davis Subdivision. It was noted that LBE Family Limited Partnership, owner, had submitted the Final Plat and Subdivision Agreement for Ben R Davis Subdivision located south of Anderson Avenue and east of Pine Street for the purpose of creating 2 Lots on 31 acres.

#2023-18 - Approving Final Plat and Subdivision Agreement for The Orchard Third Subdivision. It was noted that The Orchard LLC c/o Hoppe Homes, owner, had submitted the Final Plat and Subdivision Agreement for The Orchard Third Subdivision located south of 19<sup>th</sup> Street and east of Peach Street for the purpose of creating 63 Lots on 7.630 acres.

#2023-19 - Approving the Certificate of Compliance with the Nebraska Department of Transportation for Maintenance Agreement No. 12; Calendar Year 2022.

#2023-20 - Approving Maintenance Agreement No. 12 Renewal with the Nebraska Department of Transportation for Calendar Year 2023.

#2023-21 - Approving Bid Award for 18th Street - Moores Creek Drainway to Diers Avenue; Project No. 2022-P-8 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$1,149,288.25.

#2023-22 - Approving Bid Award for Custer Avenue - 13th Street to State Street Roadway Rehabilitation; Project No. 2022-P-5 (Phase III) with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of \$1,109,367.45.

#2023-23 - Approving Change Order #1 for PGS Bottom Ash System Upgrade with UCC Environmental of Waukegan, Illinois for an Increase of \$2,163,776.00 and a Revised Contract Amount of \$4,144,476.00.

#2023-24 - Approving Purchase of Ryder Park Playground from Creative Sites, LLC of Omaha, Nebraska in an Amount of \$1,236,356.00. Parks and Recreation Director Todd McCoy reported that the City was approached by students and staff from the Central Community College Occupational Therapy Class with the idea of raising funds to building a new community inclusive playground. The City would purchase the equipment but it would be 100% covered by the CCCF and they had secured a total of \$1.1 million in cash and pledges to date. Comments were made by Council that this was a good project.

Motion by Haase, second by Nickerson to approve Resolution #2023-24. Upon roll call vote, all voted aye. Motion adopted.

#2023-25 - Approving Purchase of Bucket Truck for Parks Operations from Altec Industries, Inc. of St. Joseph, Missouri in an Amount of \$155,669.00. Parks and Recreation Director Todd McCoy reported that the Parks Division had budgeted this year to replace one (1) 1995 Chevy 3500 Cheyenne Bucket Truck. The replacement truck was necessary as the current unit was becoming less dependable and the new unit would be more efficient as it does not require down rigging. Mr. McCoy answered questions regarding the reasons this size of bucket truck was needed.

Motion by Guzinski, second by Conley to approve Resolution #2023-25. Upon roll call vote, all voted aye. Motion adopted.

#2023-26 - Approving Preliminary Design of West Connector Trail Extension with JEO Consulting Group, Inc. of Grand Island, Nebraska in an Amount of \$29,900.00. Parks and Recreation Director Todd McCoy reported that extending the current trail system and connecting gaps was listed as a priority from public input in the Grand Island Metropolitan Area Bicycle and Pedestrian Master Plan. The Parks and Recreation Department was proposing to design the West Connector Trail Extension. The trail project would construct a trail from the intersection of North Road and Old Potash Hwy to the City Water Tower Park on Engleman Road. The new trail would be 10' wide and approximately 1.4 miles long.

Mr. McCoy explained what the engineering would provide. He stated it would be a conceptual design for a possible grant. Interim Public Works Director Keith Kurz answered questions regarding the engineering design.

Motion by Sheard, second by Lanfear to approve Resolution #2023-26. Upon roll call vote, all voted aye. Motion adopted.

#2023-27 - Approving CDBG Sub-recipient Agreement with Central Nebraska Community Action Partnership. Amber Alvidrez, Community Development Administrator reported that the Community Development Division recommended awarding \$25,000 of the CDBG annually allocated funds to the Central Nebraska Community Action Partnership (CNCAP) to implement an Emergency Payment program. CNCAP would use these funds in order to aid low to moderate income residents within the City of Grand Island. The main goal of this program would be to help residents of our community with one time aid to avoid homelessness. Council thanked Ms. Alvidrez for bringing this forward.

Motion by Nickerson, second by Guzinski to approve Resolution #2023-27. Upon roll call vote, all voted aye. Motion adopted.

#2023-28 - Approving Application for the Grand Island Fire Department to Apply for FY22 Assistance to Firefighters Grant to Purchase 70 P25 Compliant Radios. Fire Chief Cory Schmidt reported that the Grand Island Fire Department was requesting to apply to the FY22 Assistance to Firefighters Grant for funding assistance for the purchase of seventy P-25 compliant radios. Discussion was held regarding the different types of radios. Chief Schmidt stated these were the radios that would qualify for grant funding. Police Captain Jim Duerling explained the difference in their request for radios and the Fire Department radios. Emergency Management Director Jon Rosenlund explained the difference and how these would tie together.

Motion by Nickerson, second by Paulick to approve Resolution #2023-28. Upon roll call vote, all voted aye. Motion adopted.

#### RESOLUTIONS:

#2023-29 - Consideration of Request from Duysen Enterprises, LLC dba The Upper Deck, 2110 West 2nd Street for a Class "C" Liquor License and Liquor Manager Designation for Aaron Duysen, 1507 West 1st Street. This item was related to the aforementioned Public Hearing. Staff recommended denied based on the Police Department report.

Motion by Nickerson, second by Stelk to deny Resolution #2023-29. Upon roll call vote, Councilmembers Conley, Lanfear, Nickerson, Stelk, Fitzke, Sheard, Haase, and Guzinski voted aye. Councilmember Paulick abstained. Motion adopted.

#2023-30 - Consideration of Approving Letter of Support for Essential Air Service (EAS) to the Department of Transportation (DOT). Mike Olson, Executive Director of the Central Nebraska Regional Airport gave a presentation regarding Essential Air Service (EAS). On January 18, 2023 the Hall County Airport Authority conducted a public meeting to discuss the bid for Essential Air Service to Grand Island, Nebraska. The Hall County Airport Authority was recommending American Airlines to the Department of Transportation (DOT) for air service for the Central Nebraska Regional Airport under the Essential Air Service Program. Staff recommended approval to accept the recommendation of the Hall County Airport Authority Board submitted by American Airlines and authorize the Mayor to send a letter to the Department of Transportation expressing support of such proposal.

Motion by Lanfear, second by Haase to approve Resolution #2023-30. Upon roll call vote, all voted aye. Motion adopted.

#2023-31 - Consideration of Approving City Council Study Session Schedule for 2023. City Attorney Laura McAloon reported that City Administration recommended the advance scheduling of Study Sessions for the remainder of calendar year 2023 for the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday at 7:00pm. Administration was not recommending Study Sessions on July 4 (legal holiday) or during the months of November and December when the Council's regular meetings were scheduled for the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday due to the holidays.

Motion by Haase, second by Stelk to approve Resolution #2023-31. Upon roll call vote, all voted aye. Motion adopted.

#2023-32 - Consideration of Approving Police Portable Radio Purchase Proposal. Police Chief Kevin Denney reported that the Police Department had budget authority of \$150,000 under Capital expenditures to replace current portable radios purchased in 2013 and 2014. Reviewed were three alternatives differing in purchase cost, future cost and operational considerations. Staff recommended the Council approve Option 3 for the purchase of 75 APX8000 model 1.5 portable radios, support equipment, and programming for a total cost of \$547,281.00. Finance Director Patrick Brown explained how this purchase would be paid for.

Motion by Sheard, second by Paulick to approve Resolution #2023-32 Option 3. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Fitzke, second by Paulick to approve the payment of claims for the period of January 11, 2023 through January 24, 2023 for a total amount of \$7,181,073.54. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:30 p.m.

RaNae Edwards  
City Clerk