



# City of Grand Island

Tuesday, March 28, 2023

Council Session

## Item G-1

### Approving Minutes of March 14, 2023 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

March 14, 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 March 14, 2023. Notice of the meeting was given in *The Grand Island Independent* on March 8, 2023.

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

INVOCATION was given by Pastor Paul Canady, True North Church, 1804 West State Street followed by the PLEDGE OF ALLEGIANCE.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of the Central Catholic Ben Alberts Wrestling State Championship. The Mayor and City Council recognized Grand Island Central Catholic Ben Alberts and coach for his Class C-1 State Wrestling Championship win.

Recognition of Dave Chavez, Equipment Operator for the Streets Department for 45 Years of Service with the City of Grand Island. Mayor Steele and the City Council recognized Equipment Operator David Chavez for 45 years of service with the City of Grand Island. Mr. Chavez was hired as part of the CETA program in December 1977. On March 27, 1978 he was hired by the City as a Utilities Worker II. On February 9, 1992 he was promoted to Equipment Operator for the Streets Department and has worked as a street sweeper operator which is still his role today.

Recognition of Fire Chief Cory Schmidt's Acceptance into the Executive Leaders Program. Mayor Steele and the City Council recognized Fire Chief Cory Schmidt's acceptance into the Executive Leaders Program, a unique educational opportunity for senior-level homeland security and public safety leaders who are at the forefront of the nation's homeland security mission. Cory will be attending the program at the Naval Postgraduate School in Monterey, California, June 6th-9th, August 28th-31st, November 14th-17th and February 6th-9th (2024). Congratulations on your acceptance into the Executive Leaders Program.

PUBLIC HEARINGS:

Public Hearing on Zoning Change for Legacy 34 Third Sub. located W. of Prairie View St and N. of Husker Hwy from CD Commercial Dev & RD Residential Dev to Amended CD Commercial Dev & RD Residential Dev & B2 General Business. Planning Director Chad Nability

reported Innate Development were the owners of 200 acres north of Husker Highway and west of Prairieview Street had requested that the amendments to their RD and CD zones be approved along with a change for a small portion of the property to B2 General Business. The proposal was to build 150 units of three story apartments in 10 unit buildings along with 4 carriage house apartments in the Residential Development. Scott Rief, 3481 West Schimmer Drive spoke in favor and mentioned the great opportunity for bringing people to the area and helping solve the housing crisis. No further public testimony was heard.

ORDINANCES:

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

#9919 - Consideration of Approving Zoning Change for Legacy 34 Third Sub. located W. of Prairie View St and N. of Husker Hwy from CD Commercial Dev & RD Residential Dev to Amended CD Commercial Dev & RD Residential Dev & B2 General Business

#9920 - Consideration of Vacation of Utility Easement - 2819 N. Engleman Rd

#9921 - Consideration of Vacation of Access Easements in Legacy 34 Second Subdivision; West of Prairieview Street, North of Husker Highway (Innate 3, LLC / Innate 4, LLC / Innate 5, LLC / Innate 6, LLC)

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.

#9919 - Consideration of Approving Zoning Change for Legacy 34 Third Sub. located W. of Prairie View St and N. of Husker Hwy from CD Commercial Dev & RD Residential Dev to Amended CD Commercial Dev & RD Residential Dev & B2 General Business

This item was related to the aforementioned Public Hearing. Scott Rief discussed the project and what was done and where things are at.

Motion by Nickerson, second by Paulick to approve Ordinance #9919.

City Clerk: Ordinance #9919 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 #9919 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 #9919 is declared to be lawfully adopted upon publication as required by law.

#9920 - Consideration of Vacation of Utility Easement - 2819 N. Engleman Rd

Utilities Director Tim Luchsinger reported that there was an existing sixteen (16.0) foot wide Utility Easement for utility usage along the South line of Lot One (1), Miracle Valley Second Subdivision in the City of Grand Island, Hall County, Nebraska. The easement now needs to be partially vacated for construction purposes. Staff recommended approval.

Motion by Haase, second by Stelk to approve Ordinance #9920.

City Clerk: Ordinance #9920 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 #9920 on second and final 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.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9920 is declared to be lawfully adopted upon publication as required by law.

#9921 - Consideration of Vacation of Access Easements in Legacy 34 Second Subdivision; West of Prairieview Street, North of Husker Highway (Innate 3, LLC / Innate 4, LLC / Innate 5, LLC / Innate 6, LLC)

Interim Public Works Director Keith Kurz reported the request at this time was to vacate five (5) of the access easements within the original Legacy 34 Second Subdivision. The current property owners have worked with the Planning Department to replat Legacy 34 Second Subdivision and will be dedicating access easements within the new plat for further development of this area. Staff recommended approval.

Motion by Stelk, second by Conley to approve Ordinance #9921.

City Clerk: Ordinance #9921 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 #9921 on second and final 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.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9921 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent agenda items G-8 and G-15 (Resolutions #2023-62 and #2023-69) were removed for further discussion. Motion by Paulick, second by Lanfear to approve the Consent Agenda excluding items G-8 and G-15. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of February 28, 2023 City Council Regular Meeting.

Approving Request from Full Circle Venue LLC dba Full Circle Venue for a Change of Location from 3333 Ramada Road to 220 West 3rd Street – Liquor License C-088739.

Receipt of Official Document – Tort Claim filed by Petersen Farms Inc.

Receipt of Official Document – Tort Claim filed by Lancer Insurance Company on Behalf of its Insured Navigator Motorcoaches, Inc. and Navigator Motorcoaches, Inc.

#2022-59 - Approving Final Plat and Subdivision Agreement for Legacy 34 Third Subdivision. It was noted that Innate Development 2 LLC, Innate Development 3 LLC, Innate Development 4 LLC, Innate Development 5 LLC and Innate Development 6 LLC, owner, had submitted the Final Plat and Subdivision Agreement for Legacy 34 Third Subdivision located north of Husker Highway and west of Prairieview Street for the purpose of creating 28 lots, 10 outlots, 20.109 acres.

#2023-60 - Approving Lease for Dedicated Parking Stall in the Public Parking Lot at West South Front Street and Walnut Street- RAILSIDE DISTRICT.

#2023-62- Approving Change Order No. 3 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 \$924,778.89 for a Revised Contract Amount of \$7,253,680.61. Interim Public Works Director reported the changes are from findings as the project has went on and are things they were unable to detect until the further along they have got with the project.

Motion by Haase, second by Paulick to approve Resolution #2023-62. Upon roll call vote, all voted aye. Motion adopted.

#2023-63 - Approving Purchase of a 2023 Service Truck for Water Distribution Department from Anderson Auto Group of Lincoln, NE in an amount of \$41,979.00.

#2023-64 - Appointment of City's Representative at the Nebraska Municipal Power Pool.

#2023-65 - Approving Engineering Services for Electric System Master Plan with Sargent & Lundy of Chicago, IL in an Amount Not to Exceed \$132,000.

#2023-66 - Approving Purchase of Police Laptops and Docking Stations from Dell Technologies in an Amount of \$36,684.70.

#2023-67 - Approving Purchase of 2023 Police Fleet Vehicles, 3 from Anderson Auto Group of Lincoln, NE and 1 from Husker Auto Group of Lincoln, NE in an Amount of \$167,362.97.

#2023-68 - Approving 2023-2024 Victims of Crime Act (VOCA) Grant Award for Police Department.

#2023-69 - Approving FY24 Community Project Funding Grant Request for P25 Radio System. Emergency Management Director Jon Rosenlund reported the grant is a 75% split and if granted they would pay 25%. Police Chief Kevin Denney mentioned that radios previously ordered were ordered under the current staff at that time. They do have a potential of filling 11 positions by spring and would need more radios.

Motion by Nickerson, second by Conley to approve Resolution #2023-69. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2023-70 - Consideration of Approving Public Transit Service Agreement Budget Amendment for Fiscal Year 2023 and 2024. Interim Public Works Director Keith Kurz reported the City of became eligible for receipt of funds for public transit services from the Federal Transit Administration as a result of the City's status as a metropolitan statistical area. Commencing July 1, 2016, public transportation trips originating or terminating within the urbanized area of the City of Grand Island must be funded utilizing urban transportation funds from the Federal Transit Administration. On June 25, 2019, City Council approved an agreement with Senior Citizens Industries, Inc. for Public Transit Services. The initial agreement provided services to June 30, 2022, with the City having the option of renewing the agreement on an annual basis for a two (2) year period. It would be proposed at this time to enter into the FY 2023/2024 option available in the contract on a month-to-month basis. The City of Grand Island would give Senior Citizens Industries, Inc. a minimum of 90-day notice before the end of service provision. Kurz further reported that Senior Citizens Industries, Inc. had requested a contract amendment for both FY 2022/2023 and 2023/2024 for provision of services in the Urbanized Area of Grand Island. Kurz reported no additional City funding would be needed to be allocated for the FY 2022/2023 budget amendment, as CARES funding would be used to cover the associated expenses. CARES reimburses operational expenses at 100%. The FY 2023/2024 City match would be presented in the budget proposal for that fiscal year, with CARES funding being an option for aiding in reimbursement. Transit Manager Charley Falmlen explained the cost increase and ordering of new vehicles and how they were still waiting for a vehicle they ordered last year.

Motion by Guzinski, second by Stelk to approve Resolution #2023-70. Upon roll call vote, all voted aye. Motion adopted.

#2023-71 - Consideration of Approving the Final Allocation of the ARPA Funds. Interim City Administrator Laura McAloon reported the recommendation for the allocation of the remaining American Recovery Plan Act (ARPA) funds of approximately \$5,500,000 would be to allocate all of the ARPA funds to the \$5,500,000 financial commitment of the City to the funding of

public infrastructure improvements within the Conestoga Marketplace redevelopment area. On February 28, 2023, the Council heard a presentation from Central Community College about the planned improvements to its Grand Island campus and a request that the City contribute \$550,000 to the public infrastructure improvements that would be made to the campus. McAloon further reported that City Administration had prepared a proposed resolution allocating \$5,000,000 of the remaining ARPA funds to Woodsonia Hwy 281 LLC's Conestoga Marketplace infrastructure reimbursements and \$500,000 of the remaining ARPA funds to Central Community College's infrastructure improvements on its Grand Island Campus. Discussion was held regarding funds and how they would manage the allowance if one project goes over and how they funds would then be allocated.

Motion by Paulick, second by Stelk to approve Resolution #2023-71. Upon roll call vote, Councilmembers Conley, Lanfear, Nickerson, Stelk, Sheard and Mendoza voted aye. Councilmembers Guzinski and Haase voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Stelk, second by Lanfear to approve the payment of claims for the period of March 1, 2023 through March 14, 2023 for a total amount of \$4,112,887.67. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:56 p.m.

Jill Granere  
Deputy City Clerk