



City of Grand Island

Tuesday, June 24, 2014

Council Session

Item G-1

Approving Minutes of June 10, 2014 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
June 10, 2014

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 June 10, 2014. Notice of the meeting was given in *The Grand Island Independent* on June 4, 2014.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Kent Mann, Linna Dee Donaldson, Chuck Haase, Julie Hehnke, Mitch Nickerson, Peg Gilbert, John Gericke, Mark Stelk, Mike Paulick, and Vaughn Minton. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, Treasurer and Finance Director Jaye Monter, City Attorney Robert Sivick, and City Engineer and Public Works Director John Collins.

INVOCATION was given by Pastor George Jones, Church of God of Prophecy, 1620 North Broadwell Avenue followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Jimmy Riley.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Northwest High School Girls Track and Field Team – Class “B” State Championship. The Mayor and City Council recognized the Northwest High School Girls Track and Field Team and Coach Dave Gee for their Class “B” State Championship. Several of the girls from the Girls Track and Field Team and Coach Gee were present for the recognition.

Recognition of Grand Island Senior High Student Kevin Cahoy - Class “A” Pole Vault Championship. The Mayor and City Council recognized Grand Island Senior High Junior Kevin Cahoy and Coaches Jessi McDowell and Clint Simmons for his Class “A” Pole Vault Championship. Kevin Cahoy and Coaches Jessie McDowell and Clint Simmons were present for the recognition.

PUBLIC HEARINGS:

Public Hearing on Declaration of Intent to Use Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System and Wastewater Treatment Plant Improvements. Finance Director Jaye Monter stated in May of 2013 the city council declared its intention to issue bonds for \$60 million. A Revenue Bond was issued on September 17, 2013 for \$35,430,000. An estimated \$38,844,700 was needed in addition to the Revenue Bond issued last year, to finance the remaining portion of the ongoing Wastewater Infrastructure Plan. Most of the remaining costs would occur with the North Interceptor Phase 2 Project to be bid later this year. Due to favorable interest rates it was recommended that council raise its intention to issue debt from \$60 million to \$74,275,000 and recognize that up to \$40,000,000 of such borrowing be in the form of a loan from the Clean Water State Revolving Fund (CWSRF) Program administered by the Nebraska Department of Environmental Quality (NDEQ).

Ms. Monter introduced the speakers for this presentation. Introduced was Wastewater Plant Engineer Marvin Strong P.E.

Mr. Strong explained the background of the Wastewater projects included in the 5 Year Wastewater Capital Improvement Plan which were: Plant – Headworks; Sanitary Sewer Collection System Rehabilitation - South and West Interceptor Rehabilitation, 4th and 5th Eddy to Vine Rehabilitation, North Interceptor Phase I, North Interceptor Phase II, and Growth – 281 Sanitary Sewer Improvements (District 530T). Also reviewed was the Rate Study completed by Black & Veatch and CH2MHill. The Wastewater Master Plan was developed for the next 50 years. Explained were the North Interceptor Phase 2 costs and lift station abandonments and the savings of \$162,000 per year by abandoning 11 lift stations.

Anna White with Black and Veatch presented the Capital Financing Plan as shown in the Wastewater Rate Study completed in October 2013. Revenue increases would stay the same. The 2014-2017 Capital Improvement Projects (CIP) would increase by \$9,432,100. Revenue bond financing would be replaced with SRF loans with lower interest rates and lower annual debt service. Explained were the SRF loan terms. There would be a 3 year construction period with a 20 year repayment period. Total amount of debt financing would increase from \$34,800,000 to \$38,500,000. Annual debt service would increase from \$3,015,900 in 2014 to \$3,757,900 in 2017.

Tom Fuenning with NDEQ commented on the federal dollars that come through the state. Explained was the timeline for the loan contract. Michael Rogers with Gilmore & Bell, P.C. commented on the financial impact of the loan contract with the NDEQ compared to a bond.

Paul Wicht, 1708 Jerry Drive spoke in opposition. No further public testimony was heard.

RESOLUTIONS:

#2014-162 - Consideration of Approving Intent to Use Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System and Wastewater Treatment Plant Improvements. This item related to the aforementioned Public Hearing. Discussion was held regarding increasing the indebtedness to the Wastewater Treatment Plant. Mr. Rogers commented on bond ratings. Mr. Collins answered questions regarding abandoning lift stations. Comments were made concerning interest rates and the administration fees. Mr. Fuenning explained the administration fee which was 1% of the outstanding balance of the loan.

Motion by Gilbert, second by Nickerson to approve Resolution #2014-162. Upon roll call vote, all voted aye. Motion adopted.

#2014-163 - Consideration of Approving Bid Award for Sanitary Sewer District No. 528 and No. 530T Sanitary Sewer Collection System Improvements with Van Kirk Bros. Contracting of Sutton, NE in an Amount of \$3,374,118.70. Public Works Director John Collins reported that four bids were received for the above mentioned project that would extend sanitary sewer to the Wildwood Subdivision as well as south along US Highway 281 to Interstate 80. Staff recommended approval.

Motion by Haase, second by Hehnke to approve Resolution #2014-163. Upon roll call vote, all voted aye. Motion adopted.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement located at 418 N. Webb Road (Mid Plains Construction Co.). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 418 N. Webb Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of locating underground conduit, cable, and a pad-mounted transformer to provide electrical power to a new business. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 4360 West Hwy. 30 (L & P Investments). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4360 West Hwy. 30 was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of providing underground conduit, cable, and a pad-mounted transformer to provide electricity to a new building. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 4443 W. Capital Avenue (Gian Baxter Roberts). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4443 W. Capital Avenue was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of locating underground conduit, cable, and a pad-mounted transformer to provide electrical service to a new home. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located South of the Alley behind 106 & 108 West 4th Streets (Nitzel & Company and El Palenque, Inc.). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located south of the alley behind 106 & 108 West 4th Streets was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of providing a location for a pad-mounted transformer to supply electricity for an upgraded service at El Palenque and for future expansion and renewal of a second service for Nitzel & Company. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way and Temporary Easements for the Capital Avenue – Webb Road to Broadwell Avenue Widening Project (State of Nebraska Department of Administrative Services). Public Works Director John Collins reported that acquisition of utility easements located along Capital Avenue between Webb Road and Broadwell Avenue were needed in order to allow for the construction of the roadway improvement project. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Kirby Kay Smith). Public Works Director John Collins reported that acquisition of a utility easement was needed to accommodate the extension of sanitary sewer to Interstate 80 and would allow for the construction, operation, maintenance, extension, repair, replacement, and removal of sanitary sewer within the easement for a total amount of \$4,480.00. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Right-of-Way for Capital Avenue Widening – Webb Road to Broadwell Avenue. Public Works Director John Collins reported that acquisition of right-of-way located along Capital Avenue between Webb Road and Broadwell Avenue was needed in order to remove an existing 24’ wide asphalt roadway and construct new concrete pavement. Other improvements included construction of sidewalks and a concrete hike/bike trail, updated street lighting, and construction of new storm sewer. Right-of-way would be needed from three property owners for a total of \$1,790.00. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easements for Capital Avenue Widening - Webb Road to Broadwell Avenue. Public Works Director John Collins reported that acquisition of utility easements located along Capital Avenue between Webb Road and Broadwell Avenue were needed in order to remove an existing 24’ wide asphalt roadway and construct new concrete pavement. Other improvements included construction of sidewalks and a concrete hike/bike trail, updated street lighting, and construction of new storm sewer. Utility easements would be needed from seven property owners for a total of \$740.00. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

#9492 – Consideration of Vacating N. Wheeler Avenue from 3rd Street to W. South Front Street

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 first and 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.

City Attorney Robert Sivick reported that in 1989 the City Council directed the City to take appropriate steps to close N. Wheeler Avenue between W. South Front Street and Third Street for the development of the Wheeler Avenue Project, including a pedestrian mall and parking area, but no action was taken by the Council. Ordinance #9492 would legitimize the existing situation and the City would retain title in the real estate subject to existing easements, rights of way, and license agreements.

Motion by Donaldson, second by Minton to approve Ordinance #9492.

City Clerk: Ordinance #9492 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 #9492 on second and final passage. All those in favor of the passage of this ordinance on second and final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9492 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-16 was pulled from the agenda for further discussion. Motion by Donaldson, second by Hehnke to approve the Consent Agenda excluding item G-16. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 27, 2014 City Council Regular Meeting.

Approving Appointment of Bradley Kissler to the Downtown Business Improvement District 2013 Board.

#2014-139 - Approving Acquisition of Utility Easement - 418 N. Webb Road - Mid Plains Construction Company.

#2014-140 - Approving Acquisition of Utility Easement - 4360 West Hwy. 30 - L & P Investments.

#2014-141 - Approving Acquisition of Utility Easement - 4443 West Capital Avenue - Gian Baxter Roberts.

#2014-142 - Approving Acquisition of Utility Easement - South of the Alley behind 106 & 108 West 4th Streets - Nitzel & Company and El Palenque, Inc..

#2014-143 - Approving Certificate of Final Completion with The Diamond Engineering Company of Grand Island, NE for Water Main District 458T - Platte Valley Industrial Park East - and Setting Board of Equalization Hearing for July 8, 2014.

#2014-144 - Approving Bid Award for Pad-Mount Switch Gear, #2 Aluminum URD Cable, and Various other Power Cable for the Utilities Department with Dutton-Lainson Company of Hastings, NE in an Amount of \$67,819.00 plus \$877.00 for freight; Wesco of Sioux City, IA in an Amount of \$1,213,984.00; and Kriz-Davis of Grand Island, NE in an Amount of \$51,600.00.

#2014-145 - Approving Acquisition of Public Right-of-Way and Temporary Easements for the Capital Avenue – Webb Road to Broadwell Avenue Widening Project (State of Nebraska Department of Administrative Services).

#2014-146 - Approving Acquisition of Utility Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Kirby Kay Smith) in an Amount of \$4,480.00.

#2014-147 - Approving Temporary Construction Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Kirby Kay Smith) in an Amount of \$2,950.00.

#2014-148 - Approving Agreement for Engineering Consulting Services Related to Traffic Signal at Faidley Avenue & Diers Avenue Intersection; Project No. 2014-TS-1 with Schemmer Associates of Lincoln, NE in an Amount of \$65,691.25.

#2014-149 - Approving Certificate of Final Completion for Blaine Street Paving Project No. 2012-P-2; Wildwood Drive to Schimmer Drive with Gehring Construction and Ready Mix Co., Inc. of Columbus, NE.

#2014-150 - Approving Certificate of Final Completion and Scheduling the Board of Equalization for Sanitary Sewer District No. 527T – Platte Valley Industrial Park with The Diamond Engineering Co. of Grand Island, NE.

#2014-151 - Approving Agreement for Engineering Consulting Services Related to Community Development Block Grant Handicap Ramps 4th to 5th Streets; Sycamore Street to Eddy Street; Project No. 2014-2G with Schemmer Associates of Lincoln, NE in an Amount of \$94,352.00.

#2014-152 - Approving Discontinuation of Sanitary Sewer District No. 532; Westwood Park Subdivision. Public Works Director John Collins reported this was the fifth time the homeowners requested creating this district. Protests were received from 61% of the homeowners in the district which required discontinuing the district. Kerri Blackburn, 624 Sweetwood Drive spoke in opposition and requested a tap district.

Discussion was held regarding tap districts, assessment districts, and cost of replacing septic systems. It was recommended this item come back to a Study Session.

Motion by Minton, second by Haase to approve Resolution #2014-152. Upon roll call vote, all voted aye. Motion adopted.

#2014-153 - Approving Discontinuation of Sanitary Sewer District No. 533; Lots 1, 2, 21 & 22, all in Block 5 of Valley View Subdivision.

#2014-154 - Approving Bid Award for the 2014 Asphalt Resurfacing Project Number 2014-AC-1 with J.I.L. Asphalt Paving Co. of Grand Island, NE in an Amount of \$531,871.56.

#2014-155 - Approving Bid Award for Claude Road Drainage Improvement Project No. 2013-D-2 with The Diamond Engineering Co. of Grand Island, NE in an Amount of \$55,818.10.

#2014-156 - Approving Supplemental Agreement to the Temporary Construction Easement Agreement for Tract 2 for the US-30 Drainage Improvement Project with Juan Munoz of Grand Island, NE in an Amount of \$4,500.00.

#2014-157 - Approving Change Order No. 1 for Southwest Outfall Drainage – Central Community College to the Wood River; Project No. 2011-D-1 with Van Kirk Bros. Contracting of Sutton, NE for an Increase of \$58,824.45 and a Revised Contract Amount of \$501,320.65.

#2014-158 - Approving Certificate of Final Completion for Southwest Outfall Drainage – Central Community College to the Wood River; Project No. 2011-D-1 with Van Kirk Bros. Contracting of Sutton, NE.

#2014-159 - Approving Acquisition of Right-of-Way for Capital Avenue Widening – Webb Road to Broadwell Avenue with: Windsor Square Association - \$1,470.00; Shirley Bruhn - \$150.00; and Jason and Amy Ummel - \$170.00.

#2014-160 - Approving Agreement for Temporary Construction Easement & Leasehold Agreements for Capital Avenue Widening – Webb Road to Broadwell Avenue with: Windsor Square - \$9,350.00; Via Milano Homeowner’s Association - \$2,870.00; David & Catherine Larson - \$730.00; Tara Arnold & Jonathon Aguilar - \$100.00; Curtis & Beverly Cramm & Deanna Shonka - \$100.00; Richard Jack & Sharon Jarecke - \$400.00; Joe & Candice Rivera - \$100.00; Herman & Joanne Meyer - \$270.00; Joleen Altarabo - \$100.00; Kathryn Vandeberg - \$2,760.00; Ethel Lamborn - \$320.00; Newell and Associates LLC - \$6,670.00; Ryan & Tonya Banzhaf - \$4,641.00; Shirley Bruhn - \$300.00; Jason & Amy Ummel - \$620.00; Ralph Cynova, Andrew & Katherine, Gerrard & Kay Cynova - \$220.00; Greater NE Independent Housing, Inc. - \$950.00; Terry & Dora Rinke - \$760.00; David & Paula Snider - \$110.00; Kenneth Snider - \$100.00; Gilbert & Katherine Kyhn - \$2,780.00; Luis & Sonia Aguilar - \$320.00; and D & J Enterprises - \$2,130.00 for a Total Amount of \$36,701.00.

#2014-161 - Approving Acquisition of Utility Easements for Capital Avenue Widening - Webb Road to Broadwell Avenue with: Via Milano Homeowner’s Association - \$100.00; David & Catherine Larson - \$100.00; Richard Jack & Sharon Jarecke - \$100.00; Newell and Associates, LLC - \$100.00; Ralph Cynova, Andrew & Katherine Cynova; Gerrard & Kay Cynova - \$100.00; David & Paula Snider - \$130.00; and Gilbert & Katherine Kyhn - \$110.00 for a Total Amount of \$740.00.

RESOLUTIONS:

#2014-164 – Consideration of Approving Economic Development Incentive Agreement with Bosselman Tank & Trailer, Inc. City Administrator Mary Lou Brown reported that Bosselman Tank & Trailer, Inc. had submitted an application for LB 840 funds in the amount of \$90,000.00. Proposed was the creation of 8 new jobs within one year with an average hourly wage of \$16.00. Requested was \$6,250.00 per new employee for job training totaling \$50,000.00 and \$5,000.00 per new employee for job creation totaling \$40,000.00 for a total incentive request of \$90,000.00. Staff recommended approval.

Motion by Haase, second by Hehnke to approve Resolution #2014-164. Upon roll call vote, all voted aye. Motion adopted.

Kent Caldwell representing Bosselman Tank & Trailer thanked the council for their support.

#2014-165 – Consideration of Approving Maintenance Agreement for N. Wheeler Avenue with the Downtown Business Improvement District 2013. City Attorney Robert Sivick reported that for a number of years the Downtown Business Improvement District (BID) 2013 had maintained the park at the intersection of Third Street and N. Wheeler Avenue. Approval of the maintenance agreement would legitimize the existing situation. Staff recommended approval.

Amos Anson representing the Downtown BID spoke in support. Discussion was held regarding permits and fees for events at this location. Also mentioned was the name for this area.

Motion by Donaldson, second by Gilbert to approve Resolution #2014-165. Upon roll call vote, Councilmembers Minton, Paulick, Stelk, Gericke, Gilbert, Nickerson, Hehnke, Haase, and Donaldson voted aye. Councilmember Mann voted no. Motion adopted.

#2014-166 – Consideration of Approving Settlement with the Ponderosa Lake Estates Subdivision Homeowners Associations, Inc. This item was removed from the agenda pending more internal investigation.

PAYMENT OF CLAIMS:

Motion by Gericke, second by Nickerson to approve the Claims for the period of May 28, 2014 through June 10, 2014, for a total amount of \$8,633,744.33. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:28 p.m.

RaNae Edwards
City Clerk