



# City of Grand Island

Tuesday, August 26, 2014

Council Session - Updated

## Item G-1

### Approving Minutes of August 12, 2014 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

August 12, 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 August 12, 2014. Notice of the meeting was given in *The Grand Island Independent* on August 6, 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 Mark Oberbeck, Northridge Assembly of God, 3025 Independence Avenue followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Eshan Sood and board member Randy See.

PUBLIC HEARINGS:

Public Hearing on Request from Full Circle Venue LLC dba Full Circle Venue, 3333 Ramada Road for an Addition to Class "C-88739" Liquor License. City Clerk RaNae Edwards reported that an application for an addition to Class "C-88739" Liquor License had been received from Full Circle Venue LLC dba Full Circle Venue, 3333 Ramada Road. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on July 14, 2014; notice to the general public of date, time, and place of hearing published on August 2, 2014; notice to the applicant of date, time, and place of hearing mailed on July 14, 2014; along with Chapter 4 of the City Code. Staff recommended approval with the following conditions:

1. Phase I of the building improvement safety plan must be completed.
2. Panic hardware be placed on an exit door from the lounge into Denny's.

No public testimony was heard.

Public Hearing on Request from Luisa M. Lovato dba Ritmos Nightclub, 611 East 4th Street for a Class "I" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "I" Liquor License had been received from Luisa M. Lovato dba Ritmos Nightclub, 611 East 4th Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on July 23, 2014; notice to the general public of date, time, and place of hearing published on August 2, 2014; notice to the applicant of date, time, and place of hearing mailed on July 23, 2014; along with Chapter 4 of the City Code. Staff recommended denial based on the fact the building had no water service and did not meet the safety requirements as set out in Grand Island City Code 4 – 7 (H). Tom Wagoner, attorney for the applicant spoke in support. No further public testimony was heard.

Public Hearing on Request from Gloria and John Trejo for a Conditional Use Permit for Off Street Parking for the Grand Island Public Schools located at 622 N. Jefferson Street. Regional Planning Director Chad Nabity reported that Gloria and John Trejo requested a Conditional Use

Permit to allow for the construction of a parking lot at 622 N. Jefferson Street to provide parking for the elementary school. Staff recommended approval with the condition that all applicable city code sections including landscaping be provided in compliance with the City Code. Gary Lonowski, 1409 West 4<sup>th</sup> Street and George Gundelfinger, 1419 West 7<sup>th</sup> Street had questions concerning the fencing. No further public testimony was heard.

Public Hearing on Request from Central Nebraska Transload, LLC for a Conditional Use Permit for Ethanol Transload (Semi-Truck to Rail Car) and Store in Rail Car on Site located at 1213/1215 – 1221 East Highway 30. Regional Planning Director Chad Nabity reported that Central Nebraska Transload, LLC requested an amendment to the three year temporary Conditional Use Permit for a chemical warehouse and distribution facility. The amendment would allow for the additional loading of ethanol rail cars from semi-trailers. Staff recommended approval Randy Gard, Executive Director of the Grand Island Area Economic Development Corporation and Chad Campbell, 1305 College Street spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 823 East 4th Street (Blender, LLC). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 823 East 4th Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to locate underground electric conduit, cable, and a pad-mounted transformer for an existing building that is being refurbished. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 2211 South Locust Street (J. Larry Fugate). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2211 South Locust Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to place underground conduit, conductor, and a pad-mounted transformer to provide electricity to the new Taco Bell. Staff recommended approval. No public testimony was heard.

Public Hearing on a Redevelopment Plan for CRA Area 13R located West of Lincoln Avenue and North of Phoenix Avenue. Regional Planning Director Chad Nabity reported that Phil Ramsel commissioned a Blight and Substandard study of 1.26 acres referred to as CRA Area No. 13R. The study focused on property bounded by the hike bike trail on the north, on the east by Lincoln Avenue and Phoenix Avenue to the south. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement for the North Interceptor Phase II; Sanitary Sewer Project No. 2013-S-4 (Nouzovsky & Longleaf, LLC). Public Works Director John Collins reported that acquisition of public utility easements were needed for the North Interceptor in order to replace aged force main sanitary sewer, reduce or eliminate current sewer pumping station(s), and provide additional capacity for existing and new growth areas of Grand Island. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Drainage Easement for Westgate Drainage District No. 2013-D-4 (MHEC Land Trust, VI). Public Works Director John Collins reported that acquisition of a drainage easement was needed for the Westgate Drainage District No. 2013-D-4. The easement would be twenty (20) feet wide and allow for drainage within the district. Staff recommended approval. No public testimony was heard.

Public Hearing on Proposed Fiscal Year 2014-2015 City of Grand Island and Community Redevelopment Authority (CRA) Budgets. Finance Director Jaye Monter stated this public hearing would remain open until the 2014-2015 Budget was approved on September 9, 2014. The 2014-2015 Budget was submitted with no tax increase. The existing revenue sources and current levels of taxation would enable the City to continue the funding of the ICMA public safety recommendations, maintain existing or improved levels of service to the community, meet State Statutes regarding employee wage and salary increases, address necessary infrastructure maintenance, improvements and construction with a \$9.5 million capital program and retire the 2009 Various Purpose General Obligation bond.

The 2015 proposed funding sources were reviewed. The 400 Fund Capital Projects totaled \$9,510,922. The following summaries of requests were presented:

• Streets	\$6,132,990
• Drainage	\$1,175,000
• Parks	\$1,712,932
• Fire/Emergency Center	\$ 250,000
• Info. Tech. Dept.	\$ 40,000
• Grand Generation	\$ 100,000
• GITV	<u>\$ 100,000</u>
Total Capital Requests:	\$9,510,922

A five year summary was presented for the future financial forecast of the City. These figures were based on no tax rate increases and no Food & Beverage Occupation Tax Revenue. A 3% revenue growth was figured for all years, 6% personnel services growth in 2016 & 2017, 8% in 2018, 2019 & 2020, 3% operating expense growth for all years, 3% General Fund Capital Department Equipment growth for all years, and no additional employees. Ending cash balances were presented as follows: 2016 - \$6,661,757; 2017 - \$5,801,201; 2018 - \$4,072,138; 2019 - \$2,864,008; and 2020 - \$1,388,274.

The following future planning potential Capital Projects were presented:

- 50-year-old Fire Station #2
- Alternative 911 Center
- Improve ISO rating with fire training tower addition
- 20-year-old Island Oasis
- Complete development of Veteran's Athletic fields
- Fieldhouse turf replacement
- Downtown redevelopment
- Cemetery expansion
- G.I. Veterans Home acquisition and redevelopment
- Grandeur vision action plan

No public testimony was heard.

CONSENT AGENDA: Consent items G-21 and G-22 were removed for further discussion. Motion by Donaldson, second by Minton to approve the Consent Agenda excluding items G-21 and G-22. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of July 22, 2014 City Council Regular Meeting.

Approving Minutes of July 29, 2014 City Council Special Meeting/Study Session.

Approving Appointment of Jerry Huismann to the Regional Planning Commission.

Approving Request of Fonner Park Exposition and Events Center, Inc. (Heartland Events Center) for Ratification of Nomination and Election of Board of Directors.

#2014-203 - Approving Acquisition of Utility Easement located at 823 East 4th Street (Blender, LLC).

#2014-204 - Approving Acquisition of Utility Easement located at 2211 S. Locust Street (J. Larry Fugate).

#2014-205 - Approving Bid Award for Cooling Tower Stacks and Fan Blades at Platte Generating Station with EvapTech, Inc. of Lenesa, KS in an Amount of \$204,466.00.

#2014-206 - Approving Bid Award for Precipitator, Bottom Ash and Boiler Industrial Cleaning - Fall 2014 Outage at Platte Generating Station with Meylan Enterprises of Omaha, NE in an Amount of \$119,604.60.

#2014-207 - Approving Bid Award for 2015 Complete Hook Lift Truck with Dump Body and Platform/Water Tank and Pump for Platte Generating Station with Hansen International Truck, Inc. of Grand Island, NE in an Amount of \$118,444.00.

#2014-208 - Approving Bid Award for Voltage Regulator Upgrade at Platte Generating Station - Spring Outage 2015 with ABB, Inc. of St. Laurent, Quebec, Canada in an Amount of \$544,236.00.

#2014-209 - Approving Agreement for Temporary Construction Easement for Faidley Avenue Paving Improvements; Project No. 2014-P-1 (Concord Development, LLC & Grand Island Surgical Center, LLC).

#2014-210 - Approving Acquisition of Public Utility Easement for the North Interceptor Phase II; Sanitary Sewer Project No. 2013-S-4 (Nouzovsky & Longleaf, LLC).

#2014-211 - Approving Temporary Construction Easement for the North Interceptor Phase II; Sanitary Sewer Project No. 2013-S-4 (Nouzovsky).

#2014-212 - Approving Acquisition of Drainage Easement for Westgate Drainage District No. 2013-D-4 (MHEC Land Trust, VI).

#2014-213 - Approving Change Order No. 1 for Headworks Improvement Project No. WWTP-2013-1 with Garney Companies, Inc. of Gardner, KS for a Decrease of \$24,745.00 and a Revised Contract Amount of \$16,893.255.00.

#2014-214 - Approving Bid Award for One (1) Automated Oil & Grease Extraction System for the Wastewater Division with Horizon Technology, Inc. of Salem, NH in an Amount of \$32,864.97.

#2014-215 - Approving Agreement with NDOR for the Grand Island Area Metropolitan Planning Organization (GIAMPO) Long Range Transportation Plan.

#2014-216 - Approving Change Order No. 3 for North Interceptor Phase I; Project No. 2012-S-6 with Merryman Excavation, Inc. of Woodstock, IL for an Increase of \$183,791.80 and a Revised Contract Amount of \$8,655,459.97.

#2014-217 - Approving Agreements for Temporary Construction Easements for Capital Avenue Widening – Webb Road to Broadwell Avenue.

#2014-218 - Approving Temporary Construction Easement for Westgate Drainage District No. 2013-D-4 (MHEC Land Trust, VI).

#2014-219 - Approving Contract for Information Technology Network Administration Support with Duey’s Computer Service, Inc. of Lincoln, NE in an Amount of \$3,435 monthly with a 3% increase each September 1<sup>st</sup> thru August 31, 2017. Discussion was held regarding the prepayment of services and the three year contract with no early termination clause.

Motion by Haase, second by Nickerson to approve Resolution #2014-219.

Andrew Duey, President of Duey’s Computer Service, Inc. from Lincoln, NE commented on the early termination. He stated the three year agreement was in exchange for a 40% discount. Comments were made regarding a contract for three years with a new administration coming on board.

Motion by Haase, second by Gilbert to amend Section 6 to strike “the monthly maintenance fee shall be prepaid” and add a section for early termination clause. Upon roll call vote, Councilmember Haase voted aye. Councilmembers Minton, Paulick, Stelk, Gericke, Gilbert, Nickerson, Hehnke, Donaldson, and Mann voted no. Motion failed.

Upon roll call vote of the main motion, Councilmembers Minton, Stelk, Gericke, Nickerson, Hehnke, Donaldson, and Mann voted aye. Councilmembers Paulick, Gilbert, and Haase voted no. Motion adopted.

#2014-220 - Approving Bid Award for Furnishing Labor & Equipment to Transport Material to Sterling Estates Park with Hooker Brothers Construction Co. of Grand Island, NE in an Amount of \$19,950.00. Parks & Recreation Director Todd McCoy explained the Master Plan for the Parks and Recreation Department. Lewis Kent, 624 Meves Avenue spoke in opposition.

Motion by Haase, second by Gericke to approve Resolution #2014-220. Upon roll call vote, all voted aye. Motion adopted.

REQUESTS AND REFERRALS:

Consideration of Request from Gloria and John Trejo for a Conditional Use Permit for Off Street Parking for the Grand Island Public Schools located at 622 N. Jefferson Street. This item was related to the aforementioned Public Hearing.

Motion by Paulick, second by Mann to approve.

George Gundelfinger, 1419 West 7<sup>th</sup> Street commented on markers and fencing around the property.

Motion by Paulick, second by Gericke to amend the motion to add a 6' privacy fence sight obscuring fence on the west and south side of the property. Upon roll call vote, Councilmembers Paulick, Stelk, Gericke, Haase, and Donaldson voted aye. Councilmembers Minton, Gilbert, Nickerson, Hehnke, and Mann voted no. Mayor Vavricek cast the deciding no vote. Motion failed.

Gloria Trejo, 622 N. Jefferson Street spoke in support.

Upon roll call vote of the main motion, Councilmembers Minton, Stelk, Nickerson, Donaldson, and Mann voted aye. Councilmembers Paulick, Gericke, Gilbert, Hehnke, and Haase voted no. Mayor Vavricek cast the sixth and deciding vote in favor. Motion adopted.

Consideration of Request from Central Nebraska Transload, LLC for a Conditional Use Permit for Ethanol Transload (Semi-Truck to Rail Car) and Store in Rail Car on Site located at 1213/1215 – 1221 East Highway 30. This item was related to the aforementioned Public Hearing. Discussion was held concerning the flammable chemicals. Fire Division Chief Tim Hiemer stated the Fire Department didn't have a problem with this request.

Motion by Paulick, second by Haase to approve the request. Upon roll call vote, all voted aye. Motion adopted.

#### RESOLUTIONS:

#2014-221 - Consideration of Request from Full Circle Venue LLC dba Full Circle Venue, 3333 Ramada Road for an Addition to Class "C-88739" Liquor License. This item was related to the aforementioned Public Hearing.

Motion by Donaldson, second by Gilbert to approve Resolution #2014-221 with conditions. Upon roll call vote, all voted aye. Motion adopted.

#2014-222 - Consideration of Request from Luisa M. Lovato dba Ritmos Nightclub, 611 East 4th Street for a Class "I" Liquor License. This item was related to the aforementioned Public Hearing.

Motion by Stelk, second by Hehnke to deny Resolution #2014-222 based upon no water service to the building. Upon roll call vote, all voted aye. Motion adopted.

#2014-223 - Consideration of Redevelopment Plan for CRA Area 13R located West of Lincoln Avenue and North of Phoenix Avenue. This item was related to the aforementioned Public Hearing. Discussion was held regarding the impact to public land.

Motion by Gilbert, second by Haase to approve Resolution #2014-223. Upon roll call vote, all voted aye. Motion adopted.

#2014-224 - Consideration of Approving Special Revenue Fund for Pioneer Consortium Council for Library Services. Library Director Steve Fosselman reported that about four years ago the City Council authorized the City's public library to participate in a statewide Pioneer Consortium

Joint Entity Agreement for Library Services. As a participant in this consortium, the Grand Island Public Library saved over \$10,000 annually for software maintenance. The Pioneer Consortium Council board has designated Grand Island Public Library as the Financial Agent. Requested was the approval of a Special Revenue Fund for the Pioneer Consortium Council for Library Services of the joint entity agreement.

Motion by Haase, second by Hehnke to approve Resolution #2014-224. Upon roll call vote, all voted aye. Motion adopted.

#2014-225 - Consideration of Approving Resolution of Support for Continued Funding of Highway Improvement Projects – US Highway 30 & US Highway 281. Public Works Director John Collins reported this was a resolution to support the Nebraska Department of Roads intent to reconstruct the existing roadway, culverts, and shoulders on US Highway 30 and milling and resurfacing of the existing roadway and offset left turn lanes on US Highway 281.

Motion by Donaldson, second by Minton to approve Resolution #2014-225. Upon roll call vote, all voted aye. Motion adopted.

#2014-226 - Consideration of Approving Labor Agreement with AFSCME, Local 251. Human Resources Director Brenda Sutherland reported this contract was for four years. The largest impact was wages due to the City becoming a Metropolitan Statistical Area (MSA). Explained were the major changes in the contract such as vacation, stand-by pay, medical leave hours, medical leave pay out, and reimbursement for safety boots.

Motion by Minton, second by Paulick to approve Resolution #2014-226. Upon roll call vote, Councilmembers Minton, Paulick, Stelk, Gericke, Gilbert, Nickerson, Hehnke, Donaldson, and Mann voted aye. Councilmember Haase voted no. Motion adopted.

Kevin Brown, Lincoln, NE and Roger Schweitzer, AFSCME representatives were present to sign the contract.

#2014-227 - Consideration of Approving FY 2014-2015 Annual Budget for Downtown Business Improvement District 2013 and Setting Date for Board of Equalization. Finance Director Jaye Monter reported the Downtown Business Improvement District 2013 had submitted their budget for special assessments in the amount of \$92,700.

Motion by Donaldson, second by Minton to approve Resolution #2014-227. Upon roll call vote, all voted aye. Motion adopted.

#2014-228 - Consideration of Approving FY 2014-2015 Annual Budget for Fonner Park Business Improvement District from Stolley Park Road to Fonner Park Road and Setting Date for Board of Equalization. Finance Director Jaye Monter reported the Fonner Park Business Improvement District had submitted their budget for special assessments in the amount of \$39,592.

Motion by Paulick, second by Hehnke to approve Resolution #2014-228. Upon roll call vote, all voted aye. Motion adopted.

#2014-229 - Consideration of Approving FY 2014-2015 Annual Budget for the South Locust Business Improvement District 2013 from Stolley Park Road to Highway 34 and Setting Date for



Board of Equalization. Finance Director Jaye Monter reported that South Locust Business Improvement District 2013 had submitted their budget for special assessments in the amount of \$70,170.

Motion by Minton, second by Mann to approve Resolution #2014-228. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Gilbert, second by Donaldson to approve the Claims for the period of July 23, 2014 through August 12, 2014, for a total amount of \$11,303,242.08. Unanimously approved.

Council recessed at 9:19 p.m. and reconvened at 9:29 p.m.

Discussion Concerning the Proposed Fiscal Year 2014-2015 City of Grand Island and Community Redevelopment Authority (CRA) Budgets. This item related to the aforementioned Public Hearing. Councilmember Haase recommended the unspent funds be carried forward for the Grand Generation Center. City Attorney Robert Sivick stated the terms of the new agreement were being negotiated with the Grand Generation Center. Proposed was \$100,000 per year be budgeted annually.

Motion by Haase, second by Gericke that \$100,000 for the Grand Generation Center be budgeted and the unspent balance be carried forward. Upon roll call vote, Councilmembers Paulick, Stelk, Gericke, Hehnke, and Haase voted aye. Councilmembers Minton, Gilbert, Nickerson, Donaldson, and Mann voted no. Mayor Vavricek cast the deciding no vote. Motion failed.

A lengthy discussion was held concerning the projects that had not been completed in this fiscal budget year and who was responsible for completing and paying for the projects. Mr. Sivick stated the City would lease the building and the Grand Generation Center would maintain the building.

Motion by Gilbert, second by Stelk to decrease the Capital Improvement budget by \$250,000 by eliminating the Fire Station 2 & Emergency Center RFQ. Councilmembers Stelk, Gilbert, Nickerson, and Donaldson voted aye. Councilmembers Minton, Paulick, Gericke, Hehnke, Haase, and Mann voted no. Motion failed.

Public Works Director John Collins explained what the RFQ would include. Fire Division Chief Tim Hiemer commented on the need to study relocating Fire Station 2 and an alternate Emergency Center. City Administrator Mary Lou Brown stated the \$250,000 was to study the best location and the project would take some time.

Comments were made regarding moving the 911 Center to the Burdick Station. Emergency Management Director John Rosenlund stated he didn't know if Burdick Station was still an option. The study would create a new plan and answer those questions for both the Fire Station and 911 Center. He would like to see some money put in the budget to start the process. Mayor Vavricek confirmed the 911 Center budget was joint with Hall County.

Mr. Collins stated the \$250,000 budget request was figured on 6% of the total project. A new fire station would be approximately \$5 million with architectural services.

Discussion was held regarding the Parks and Recreation Department concerning the tennis court at Ryder Park with the Tennis Association reimbursing the City. The splash park was discussed also. Mr. McCoy said the splash park had been looked at and was in the 5 year plan but not in this year's budget.

Comments were made concerning property valuation increases. Future revenue options were presented. Mentioned was the Grander Visioning survey and needing money to do those projects. Discussion was also held concerning the Food and Beverage tax which would expire on December 31, 2015. Mr. Sivick stated any ballot measure to renew this tax would have to be at the Election Commissioners Office by early September, 2014 to be included on the General Election ballot.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Nickerson to adjourn to Executive Session at 11:05 p.m. for the purpose of a strategy session with respect to negotiations with IBEW. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Gericke, second by Gilbert to return to Regular Session at 11:53 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 11:53 p.m.

RaNae Edwards  
City Clerk