



City of Grand Island

Tuesday, October 14, 2014

Council Session

Item G-1

Approving Minutes of September 23, 2014 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
September 23, 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 September 23, 2014. Notice of the meeting was given in *The Grand Island Independent* on September 17, 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, Mitch Nickerson, Peg Gilbert, John Gericke, Mark Stelk, Mike Paulick, and Vaughn Minton. Councilmember Julie Hehnke was absent. 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 Father Robert Lewis, St. Stephen's Episcopal Church, 422 West 2nd Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Eshan Sood.

PRESENTATIONS:

Proclamation "Literacy Week 2014". Mayor Vavricek proclaimed September 22-28, 2014 as "Literacy Week 2014". Executive Director of the Literacy Council of Grand Island Iona Grundmann and Administrative Assistant Sherry Cook were present to receive the Proclamation.

Proclamation "Hispanic Heritage Month" September 15 – October 15, 2014. Mayor Vavricek proclaimed the month of September 15 – October 15, 2014 as "Hispanic Heritage Month". Yolnada Nuncio and representatives of the Latino Community were present to receive the Proclamation.

BOARD OF EQUALIZATION: Motion by Gilbert, second by Haase to adjourn to the Board of Equalization. Motion adopted.

#2014-BE-6 - Consideration of Determining Benefits for Water Main District 458T, Platte Valley Industrial Park - East. Utilities Director Tim Luchsinger reported that the water main to provide municipal water service adjacent to properties located on the west side of Blaine Street between Schimmer Drive and Wildwood Drive had been completed. The total project cost for the water main construction was \$856,068.68 with \$331,654.23 to be charged as a tap district to the properties receiving benefit within the district's boundary.

Discussion was held concerning protests for this district. Mr. Luchsinger stated there was no protest period for tap districts. City Attorney Bob Sivick explained that once a property taps into the water main then they would be assessed.

Motion by Nickerson, second by Donaldson to approve Resolution #2014-BE-6. Upon roll call vote, Councilmembers Minton, Paulick, Stelk, Gericke, Gilbert, Nickerson, Donaldson, and Mann voted aye. Councilmember Haase voted no. Motion adopted.

#2014-BE-7 - Consideration of Determining Benefits for Sanitary Sewer District 527T; Platte Valley Industrial Park-East. Public Works Director John Collins reported that the sanitary sewer located between Schimmer Drive on the north, Wildwood Drive on the south, Blaine Street on the east and the St. Joe Branch of UPRR on the west had been completed. The total project cost for the sanitary sewer construction was \$508,855.21 with \$261,468.80 to be charged as a tap district to the properties receiving benefit within the district's boundary.

Motion by Gilbert, second by Stelk to approve Resolution #2014-BE-7. Upon roll call vote, Councilmembers Minton, Paulick, Stelk, Gericke, Gilbert, Nickerson, Donaldson, and Mann voted aye. Councilmember Haase voted no. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Gilbert, second by Gericke to return to Regular Session. Motion adopted.

PUBLIC HEARINGS:

Public Hearing on Request to Rezone Property Located at 3180 US Hwy 34 from RO Residential Office to B2 General Business. Regional Planning Director Chad Nabity reported that a request to change the zoning for property located west of Tech Drive and north of U.S. Highway 34 had been received. The purpose of the request was to place College Park as it exists today into a zoning district that was consistent with the intensity of use and that would allow them the freedom to advertise their products and services. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property Located at 3420 West State Street from CD Commercial Development to Amended Commercial Development. Regional Planning Director Chad Nabity reported that a request to change the zoning for property located at 3416, 3420, 3430 and 3436 West State Street had been received. The purpose of the request was to create 2 additional lots within the development, one on the north side of the existing building and one in the southwest corner. Staff recommended approval. Don Mehring, 102 Ponderosa Drive and Kelly Rafterty, 717 West Anna Street spoke in support. No further public testimony was heard.

Public Hearing on Amendment to the Grand Island Comprehensive Plan for the Addition of an Energy Element. Regional Planning Director Chad Nabity reported that all communities and counties in Nebraska, with the exception of villages, were required to have an energy element in their comprehensive development plans by January 1, 2015. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Drainage Easement in Section 29, Township 11 North, Range 9 (Saint Leo's Church of Grand Island – 2410 South Blaine Street). Public Works Director John Collins reported that acquisition of a drainage easement located at 2410 South Blaine Street was

needed to allow for proper drainage with the redevelopment of the parking lot at St. Leo's Church. 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 ordinances numbered:

#9504 - Consideration of Request to Rezone Property Located at 3180 US Hwy 34 from RO Residential Office to B2 General Business

#9505 - Consideration of Request to Rezone Property Located at 3420 West State Street from CD Commercial Development to Amended Commercial Development

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.

#9504 - Consideration of Request to Rezone Property Located at 3180 US Hwy 34 from RO Residential Office to B2 General Business

Motion by Donaldson, second by Gilbert to approve Ordinance #9504.

City Clerk: Ordinance #9504 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 #9504 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, 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 #9504 is declared to be lawfully adopted upon publication as required by law.

#9505 - Consideration of Request to Rezone Property Located at 3420 West State Street from CD Commercial Development to Amended Commercial Development

Discussion was held concerning a traffic light at the street that goes into Bed, Bath & Beyond. Mr. Collins stated they would look at this and the surrounding areas for a traffic light but thought there were other alternatives.

Motion by Stelk, second by Mann to approve Ordinance #9505.

City Clerk: Ordinance #9505 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 #9505 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, 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 #9505 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Donaldson, second by Mann to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of September 9, 2014 City Council Regular Meeting.

Approving Garbage Permits for Heartland Disposal and Mid-Nebraska Disposal, Inc. and Refuse Permits for Full Circle Rolloffs and O'Neill Transportation and Equipment LLC.

#2014-293 - Approving Preliminary and Final Plat and Subdivision Agreement for Grand Island Mall 16th Subdivision. It was noted that EIG Grand Island LLC, owners, had submitted the Preliminary and Final Plat and Subdivision Agreement for Grand Island Mall 16th Subdivision for the purpose of creating 3 lots located north of State Street and east of US Hwy 281 containing 8.996 acres.

#2014-294 - Approving Final Plat and Subdivision Agreement for Skag-Way Third Subdivision. It was noted that Super Market Developers, Inc., owners, has submitted the Final Plat and Subdivision Agreement for Skag-Way Third Subdivision for the purpose of creating 2 lots located north of State Street and east of Broadwell Avenue containing 12.01 acres.

#2014-295 - Approving Fiscal Year 2014-2015 VOCA Grant Award.

#2014-296 - Approving Acquisition of Drainage Easement in Section 29, Township 11 North, Range 9 (Saint Leo's Church of Grand Island – 2410 South Blaine Street).

#2014-297 - Approving Bid Award for Faidley Avenue Paving Improvements; Project No. 2014-P-1 & Faidley Avenue Water Improvements; Project No. 2014-W-14 with The Diamond Engineering Company of Grand Island, NE in an Amount of \$925,292.70.

#2014-298 - Approving Amendment No. 1 to Agreement for Engineering Consulting Services Related to Faidley Avenue Paving Improvements; Project No. 2014-P-1 with Alfred Benesch & Company of Lincoln, NE for an Increase of \$126,967.84 and a Revised Agreement Amount of \$187,853.65.

#2014-299 - Approving Increase to the City's Share of the State Street and Capital Avenue Connector Trail - NDOR Project No. ENH-40(59); Control No. 42650 from \$76,893.60 to \$114,056.65.

#2014-300 - Approving Time Extension to the Contract with The Diamond Engineering Co. of Grand Island, NE for Westgate Road Paving District No. 1261; North Road to Copper Road to November 14, 2014.

#2014-301 - Approving Time Extension to the Contract with The Diamond Engineering Co. of Grand Island, NE for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks to November 3, 2014 and an Increase of \$13,057.00 and a Revised Contract Amount of \$1,374,508.80.

#2014-302 - Approving Bid Award for Surface Prep and Painting of Island Oasis Water Park with A1A Sandblasting of Cedar Rapids, IA in an Amount of \$47,300.00.

#2014-303 - Approving Keno Satellite Location and Agreement for Kerjac, Inc. dba Stix Billiard Center, 811 West 4th Street.

#2014-304 - Approving Letter of Credit for Employer's Mutual Casualty Company (EMC) Insurance Reserve.

#2014-305 - Approving Designated Depositories and City Treasurer Authorizations.

RESOLUTIONS:

#2014-306 - Consideration of Amendment to the Grand Island Comprehensive Plan for the Addition of an Energy Element. This item was related to the aforementioned Public Hearing.

Motion by Gilbert, second by Gericke to approve Resolution #2014-306. Upon roll call vote, all voted aye. Motion adopted.

#2014-307 - Consideration of Assessments for Water Main District 458T, Platte Valley Industrial Park - East. This item was related to the aforementioned Public Hearing.

Motion by Gilbert, second by Nickerson to approve Resolution #2014-307. Upon roll call vote, all voted aye. Motion adopted.

#2014-308 - Consideration of Assessments for Sanitary Sewer District 527T; Platte Valley Industrial Park-East. This item was related to the aforementioned Public Hearing.

Motion by Gilbert, second by Donaldson to approve Resolution #2014-308. Upon roll call vote, all voted aye. Motion adopted.

#2014-309 - Consideration of Approving Agreement with the Clean Community Systems. City Attorney Robert Sivick reported that the 2014-2015 annual budget appropriated \$20,000 to the Grand Island Area Clean Community System. This agreement was needed to specify the obligations of each party and payment terms.

Motion by Paulick, second by Haase to approve Resolution #2014-309.

Discussion was held regarding who oversees this contract. Mr. Sivick stated Solid Waste Superintendent Jeff Wattier was in charge and everything was in order. Comments were made regarding having a representative from Clean Community Systems present to answer questions.

Motion by Donaldson, second by Nickerson to postpone Resolution #2014-309 until the October 14, 2014 Council meeting. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Mann, second by Donaldson to approve the Claims for the period of September 10, 2014 through September 23, 2014, for a total amount of \$5,699,481.59. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:03 p.m.

RaNae Edwards
City Clerk