



# City of Grand Island

Tuesday, March 10, 2015

Council Session

## Item G-1

### Approving Minutes of February 24, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

February 24, 2015

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 February 24, 2015. Notice of the meeting was given in *The Grand Island Independent* on February 18, 2015.

Mayor Jeremy L. Jensen called the meeting to order at 7:00 p.m. The following City Council members were present: Mitch Nickerson, Mark Stelk, Jeremy Jones, Chuck Haase, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. The following City Officials were present: City Administrator Marlan Ferguson, City Clerk RaNae Edwards, Interim Finance Director William Clingman, City Attorney Robert Sivick, and Public Works Director John Collins.

INVOCATION was given by Pastor Richard King, Solid Rock Baptist Church, 3221 West 13<sup>th</sup> Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Jensen introduced Community Youth Council members Grant Bednar and Miranda Keiper.

PRESENTATION AND PROCLAMATIONS:

Convention Visitors Bureau Presentation by Executive Director Brad Mellema. Executive Director Brad Mellema introduced Jody Lamp and Melody Dobson from Montana who gave a presentation of the American Door Stop Project. They highlighted the history of the Grand Island Horse and Mule Market here in Grand Island in the early 1900's.

ADJOURN TO BOARD OF EQUALIZATION: Motion by Donaldson, second by Hehnke, carried unanimously to adjourn to the Board of Equalization.

#2015-BE-1 –Consideration of Determining Benefits for 2010, 2013 & 2014 Weed/Nuisance Abatement Program. Assistant City Attorney Stacy Nonhof reported that City Code contains a procedure for abating nuisances on properties such as excessive growths of weeds or litter. The Council was to determine the benefits for nuisance and weed abatement for the growing seasons of 2010, 2013 and 2014. Staff recommended approval.

Discussion was held concerning the number of years in this assessment. Ms. Nonhof stated there were a few years where weeds were not mowed because of a lack of money. Mr. Sivick stated the last assessment was in 2009 which was during the recession and budgets were tight. Ms. Nonhof explained the process of mowing and billing.

Motion by Donaldson, second by Haase to approve Resolution #2015-BE-1. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Donaldson, second by Paulick carried unanimously to return to Regular Session.

PUBLIC HEARINGS:

Public Hearing on Request from Midland Ag Services, Inc. on behalf of Verizon Wireless for a Conditional Use Permit for a 133' Monopole for Wireless Telecom located at 1203 South Stuhr Road. Building Department Director Craig Lewis reported that Midland Ag Services, Inc. on behalf of Verizon Wireless was requesting a Conditional Use Permit for a 133' monopole for wireless telecom located at 1203 South Stuhr Road. Staff recommended approval with the condition that the tower be lighted in conformance with FAA Advisory Circular AC 70/7460-1K and that the tower be designed and certified that upon failure the fall zone would be limited to an 80' radius from the base of the tower protecting the transmission lines. No public testimony was heard.

Public Hearing on Request from The Diamond Engineering Company on behalf of Verizon Wireless for a Conditional Use Permit for Construction of an 88' Wireless Telecom Monopole and Radio Shelter located at 3000 Garland Street. Building Department Director Craig Lewis reported that The Diamond Engineering Company on behalf of Verizon Wireless was requesting a Conditional Use Permit for an 88' wireless telecom monopole and radio shelter located at 3000 Garland Street. Staff recommended approval. No public testimony was heard.

Public Hearing on Amendment to the Redevelopment Plan, a Portion of CRA Area 1, for Downtown Upper Story Residential Life Safety Grant. Regional Planning Director Chad Nabity reported that an amendment to the redevelopment plan for CRA Area 1 would authorize the CRA to create a grant program to subsidize and encourage the development of upper level housing in a specified area of Redevelopment Area 1. The program would not exceed 5 years. Staff recommended approval. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on Amendment to the 2014-2015 Budget. Interim Finance Director William Clingman introduced Solid Waste Superintendent Jeff Wattier. He reported that due to the severe weather and hail storms last spring and summer a significant impact was created at the Solid Waste Division. The budget amendment would allow the Solid Waste Division to hire a temporary, full-time employee through a staffing agency for assisting transfer station and landfill staff with the increased work load. Staff recommended approval. No public testimony was heard.

Public Hearing on the One & Six Year Street Improvement Plan (Continued). Public Works Director John Collins presented a detailed listing of the street improvement projects with their corresponding years in which each project was scheduled. The One & Six Year Street Improvement Plan was presented at the Grand Island/Hall County Regional Planning Commission meeting on February 18, 2015, in which a recommendation of approval was brought forth. Staff recommended approval. Paul Wicht, 1708 Jerry Drive spoke in opposition of stripping Stolley Park Road. No further public testimony was heard.

ORDINANCES:

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

#9519 – Consideration of Amending Salary Ordinance Relative to FTE Title Changes from Public Works Project Manager and Wastewater Project Manager to Engineer I for the Engineering Division of the Public Works Department

#9520 - Consideration of Assessing Benefits for 2010, 2013 & 2014 Weed/Nuisance Abatement Program

#9521 – Consideration of Vacating Regents Park Subdivision

#9522 - Consideration of Amendment to the 2014-2015 Budget

#9523 - Consideration of Amending Chapter 15 of the Grand Island City Code Relative to Electricity

#9524 - Consideration of Amendments to Chapter 30 of the Grand Island City Code Relative to Sewers and Sewage Disposal

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.

#9519 – Consideration of Amending Salary Ordinance Relative to FTE Title Changes from Public Works Project Manager and Wastewater Project Manager to Engineer I for the Engineering Division of the Public Works Department

This item related to the aforementioned Public Hearing. Discussion was held concerning qualifications for these positions.

Motion by Paulick, second by Minton to approve Ordinance #9519 on first reading. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

City Clerk: Ordinance #9519 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 #9519 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9519 is declared to be lawfully adopted upon publication as required by law.

#9520 - Consideration of Assessing Benefits for 2010, 2013 & 2014 Weed/Nuisance Abatement Program

This item related to the aforementioned Public Hearing. Discussion was held concerning administrative costs and the notification process.

Motion by Haase, second by Paulick to approve Ordinance #9520 on first reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9520 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 #9520 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9520 is declared to be lawfully adopted upon publication as required by law.

#### #9521 – Consideration of Vacating Regents Park Subdivision

Regional Planning Director Chad Nabity reported that this property was located east of Adams Street and north of Stolley Park Road and no development had taken place. The Grand Island Public School System had purchased the property and was planning on building a new elementary school at this site. Vacating this subdivision would facilitate that new building.

Motion by Minton, second by Hehnke to approve Ordinance #9521 on first reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9521 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 #9521 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9521 is declared to be lawfully adopted upon publication as required by law.

#### #9522 - Consideration of Amendment to the 2014-2015 Budget

This item related to the aforementioned Public Hearing. Discussion was held concerning the reconciliation versus a budget amendment.

Motion by Haase, second by Donaldson to approve Ordinance #9522 on first reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9522 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 #9522 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9522 is declared to be lawfully adopted upon publication as required by law.

#9523 - Consideration of Amending Chapter 15 of the Grand Island City Code Relative to Electricity

Utilities Director Tim Luchsinger reported that with the new Utility Billing Customer Information System it was necessary to clarify City Code Chapter 15 with regards to regulations for electric rates. Mr. Luchsinger answered questions regarding commercial deposits.

Motion by Hehnke, second by Donaldson to approve Ordinance #9523 on first reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9523 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 #9523 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9523 is declared to be lawfully adopted upon publication as required by law.

#9524 - Consideration of Amendments to Chapter 30 of the Grand Island City Code Relative to Sewers and Sewage Disposal

Public Works Director John Collins reported that in an effort to streamline and simplify the sanitary sewer billing process changes to City Code Chapter 30-79 were needed. This change would remove the lower of the two (2) winter quarter water consumption readings for a twelve (12) month sanitary sewer basis.

Motion by Haase, second by Paulick to approve Ordinance #9524 on first reading. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9524 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 #9524 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9524 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of February 10, 2015 City Council Regular Meeting.

Approving Appointment of Chris Rosacker to the Downtown Business Improvement District 2013 Board.

#2015-42 - Approving Final Plat and Subdivision Agreement for Grand Island Public Schools Subdivision. It was noted that Hall County School District 2, owner, had submitted the Final Plat and Subdivision Agreement for Grand Island Public Schools Subdivision for the purpose of creating 1 lot located east of Adams Street and north of Stolley Park Road containing 30.71 acres.

#2015-43 - Approving Bid Award - 2016 Truck with Digger Derrick - Line Division Unit 77 with Altec Industries, Inc. of St. Joseph, MO in an Amount of \$223,273.00.

#2015-44 - Approving Bid Award - Distribution Protection Relays. This item was pulled from the agenda.

#2015-45 - Approving Continuing Disclosure Agreement and Certificate of Participant Agreement with OPPD for 2015 Series A Bonds.

#2015-46 - Approving Scott Sekutera as Alternate Designated Representative for the EPA Acid Rain Program.

#2015-47 - Approving Increase to the City's Share of the US Highway 34 Improvements from US Highway 281 to South Locust Street – NDOR Project No. STP 34-4(126); Control No. 41994. It was noted the City's total share would be \$158,912.84.

#2015-48 - Approving Bid Award for Hot-Mix Asphalt for 2015 with Gary Smith Construction Co., Inc. of Grand Island, NE; Constructors, Inc. of Lincoln, NE; and J.I.L. Asphalt Paving Co. of Grand Island, NE for various types of asphalt per ton.

#2015-49 - Approving Bid Award for Concrete Pavement and Storm Sewer Repairs for 2015 with OK Paving of Hordville, NE in an Amount of \$880,905.00.

#2015-50 - Approving Bid Award for Concrete Ready-Mix for 2015 with Gerhold Concrete Co., Inc. of Grand Island, NE in an Amount of \$85.50 per cubic yard.

#2015-51 - Approving Award of Proposal for Aerial Photography of the Grand Island Metropolitan Planning Organizations Planning Area – 2015 with Kucera International Inc. of Willoughby, OH in an Amount of 17,900.00.

#2015-52 - Approving Agreement with Olsson Associates for Construction Engineering Services for Capital Avenue Widening – Webb Road to Broadwell Avenue.

#2015-53 - Approving Subcontractor County Line Striping of Grand Island, NE for Annual Pavement Marking Contract 2015 – Streets Division of the Public Works Department.

#2015-54 - Approving Change Order No. 1 for Faidley Avenue Paving Improvements; Project No. 2014-P-1 & Faidley Avenue Water Improvements; Project No. 2014-W-14 with The Diamond Engineering Co. of Grand Island, NE for an Increase of \$49,028.57 and a Revised Contract Amount of \$974,321.27.

#2015-55 - Approving Demo and Installation of New Bathroom Fixtures at Island Oasis Water Park with Sewer Rooter & Plumbing Co, Inc. of Grand Island, NE in an Amount of \$45,540.90.

REQUESTS AND REFERRALS:

Consideration of Approving the Request from Midland Ag Services, Inc. on behalf of Verizon Wireless for a Conditional Use Permit for a 133' Monopole for Wireless Telecom located at 1203 South Stuhr Road. This item related to the aforementioned Public Hearing. Discussion was held concerning lighting the tower.

Motion by Nickerson, second by Haase to approve with the conditions as set forth in the Public Hearing. Upon roll call vote, all voted aye. Motion adopted.

Consideration of Approving the Request from The Diamond Engineering Company on behalf of Verizon Wireless for a Conditional Use Permit for Construction of an 88' Wireless Telecom Monopole and Radio Shelter located at 3000 Garland Street. This item related to the aforementioned Public Hearing.

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

RESOLUTIONS:

#2015-56 - Consideration of Approving the Grant Application to Civic and Community Center Financing Fund regarding Island Oasis Expansion. Community Development Specialist Charley Falmlen reported that the Community Development Division was proposing to submit a grant pre-application to the Nebraska Department of Economic Development's Civic and Community Center Financing Fund requesting \$800,000 to assist in funding the proposed \$1.6 million Children's Wet Playground at Island Oasis Waterpark.

Motion by Paulick, second by Minton to approve Resolution #2015-56. Upon roll call vote, all voted aye. Motion adopted.

#2015-57 - Consideration of Approving the Amendment to the Redevelopment Plan, a Portion of CRA Area 1, for Downtown Upper Story Residential Life Safety Grant. This item related to the aforementioned Public Hearing. Comments were made regarding the importance of these projects. Amos Anson commented on the importance of developing downtown and an easy



process to help developers. Mr. Nabity answered questions regarding Tax Increment Financing (TIF) on these projects. Council President Donaldson stated she would like to see TIF as a part of this process from the beginning. It was recommended to bring that topic back to a future council meeting.

Motion by Haase, second by Hehnke to approve Resolution #2015-57. Upon roll call vote, all voted aye. Motion adopted.

#2015-58 - Consideration of Approving Resolution Recognizing IBEW Local #1597 Service/Clerical as Labor Representative for the Community Service Officers. City Attorney Robert Sivick reported that the Community Service Officers were seeking labor representation from IBEW Local 1597 Service/Clerical. It was recommended that the City voluntarily recognize the IBEW as the labor representative of the Community Service Officers and amend the present contract with the IBEW Service/Clerical.

Motion by Paulick, second by Nickerson to approve Resolution #2015-58. Upon roll call vote, all voted aye. Motion adopted.

#2015-59 - Approving Lease of Gas Power Motorized Golf Cars and Trade-In for Jackrabbit Run Golf Course. Parks and Recreation Director Todd McCoy reported that Jackrabbit Run Golf Course currently owned and operated 53 electric Club Car golf cars for patron rental. Request for Proposals were received for the Lease of Gas Power Motorized Golf Cars and Fleet Trade-In. It was recommended that Masek Distributing, Inc. of Gering, NE be awarded the lease in an amount of \$18,250.00 per year for five years. Doug Sweeney answered questions regarding gas storage.

Motion by Haase, second by Minton to approve Resolution #2015-59. Upon roll call vote, all voted aye. Motion adopted.

#2015-60 - Consideration of Approving the One & Six Year Street Improvement Plan. This item related to the aforementioned Public Hearing. It was mentioned that Stolley Park would come back to Council before final action was taken.

Motion by Stelk, second by Hehnke to approve Resolution #2015-60. Upon roll call vote, all voted aye. Motion adopted.

#2015-61 - Consideration of Approving FTE Title Changes from Public Works Project Manager and Wastewater Project Manager to Engineer I for the Engineering Division of the Public Works Department. Public Works Director John Collins reported that the department was experiencing difficulty hiring some positions within the Engineering Division. In order to attract more qualified applicants it was recommended that a title change be made for Public Works Project Manager and Wastewater Project Manager to Engineer I for both positions.

Motion by Hehnke, second by Minton to approve Resolution #2015-61. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Nickerson to approve the Claims for the period of February 11, 2015 through February 24, 2015, for a total amount of \$4,764,484.18. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:10 p.m.

RaNae Edwards  
City Clerk