



# City of Grand Island

Tuesday, April 28, 2015

Council Session

## Item G-1

### Approving Minutes of April 14, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING  
April 14, 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 April 14, 2015. Notice of the meeting was given in *The Grand Island Independent* on April 8, 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, Chuck Haase, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. Councilmember Jeremy Jones was absent. 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 Bishop Jared Noorlander, Church of Jesus Christ of Latter-day Saints, 212 West 22<sup>nd</sup> Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Jensen introduced Community Youth Council members Ruth Palma and Marco Cuellar.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Grand Island Central Catholic/Grand Island Senior High Matt Novinski - State Champion Swimming – 100 Yard Backstroke and Coach Brian Jensen. Mayor Jensen and the City Council recognized Matt Novinski for his state championship win in the 100 yard backstroke. Also recognized was Coach Brian Jensen. Mr. Novinski and Mr. Jensen were present for the recognition.

Recognition of Grand Island Senior High Billy Thompson and Edgar Silva - Class "A" State Wrestling Champions and Coach Joey Morrison. Mayor Jensen and the City Council recognized Billy Thompson and Edgar Silva for their state championship wins in wrestling. Also recognized was their Coach Joey Morrison. Mr. Thompson and Coach Morrison were present for the recognition.

Recognition of Grand Island Central Catholic High School Girls Dance Team State Championship in Hip Hop Dance and Jazz Dance. Mayor Jensen and the City Council recognized the following Grand Island Central Catholic High School Girls Dance Team for their championship win at state in Hip Hop Dance and Jazz Dance: Regan Dimmitt, Kennedy Martinez, Megan Wardyn, Jenny Sindt, Emily Harders, Ali Nowicki, and Brynn Sealock. Also recognized was their Coach Erin Neuhaus.

Presentation by the Nebraska State Fair. Executive Director of the Nebraska State Fair Joseph McDermott gave an update on the 2015 Nebraska State Fair. The 2015 Nebraska State Fair will run from August 28, 2015 through September 7, 2015. This year the “Wow” factor would be the

outdoor concerts headlining Keith Urban on Saturday, August 29<sup>th</sup> and Jerrod Niemann on Friday, August 28<sup>th</sup> along with other indoor concerts. New to the fair would be the National Firefighters Challenge and returning for the second year was the State Fair Marathon. Presented to the Mayor and City Council was a check in the amount of \$100,000.00 to be used for Community Betterment.

PUBLIC HEARINGS:

Public Hearing on Request from Jarhead, Inc. dba Texas T-Bone, 1201 South Locust Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received from Jarhead, Inc. dba Texas T-Bone, 1201 South Locust Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on March 24, 2015; notice to the general public of date, time, and place of hearing published on April 4, 2015; notice to the applicant of date, time, and place of hearing mailed on March 24, 2015; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections and completion of a state approved alcohol server/seller training program. Bennett Chamness, 1027 East Bismark Road spoke in support. No further public testimony was heard.

Public Hearing on Adoption of Amendments to Chapter 36 of the Grand Island City Code Relative to Zoning Regulations. Regional Planning Director Chad Nabity reported that changes were needed to Chapter 36 of the Grand Island City Code regarding Group Homes, Guest Room to Guest Buildings, and including extraterritorial jurisdiction within the two miles of the City Limits on the approved zoning map. Staff recommended approval. No public testimony was heard.

Public Hearing on Adoption of the Grand Island Zoning Map. Regional Planning Director Chad Nabity reported that this was the re-adoption of the Grand Island Zoning Map as produced by the Hall County Geographic Information System as the official zoning map for the City of Grand Island. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property Located at 4311 West 13th Street from TA Transitional Agriculture to LLR Large Lot Residential (Niedfelt Property Management, LLC). Building Department Director Craig Lewis reported that a request had been received to rezone property located at 4311 West 13<sup>th</sup> Street (west of Westridge Middle School on the south side of 13<sup>th</sup> Street) from TA Transitional Agriculture to LLR Large Lot Residential. Staff recommended approval. No public testimony was heard.

Public Hearing on Annexation of Property Proposed for Platting as GI Acres Subdivision Located at 4311 West 13th Street. Building Department Director Craig Lewis reported that Niedfelt Property Management LLC submitted GI Acres Subdivision as an addition to the City of Grand Island. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement for Hall County Sanitary Sewer District 2 (SID 2) [Wilkinson Development, Inc.]. Public Works Director John Collins reported that a permanent easement was needed in order to extend City sanitary sewer to businesses along

US Highway 281 near the Interstate 80 interchange. This easement would allow for construction, operation, maintenance, extension, repair, replacement and removal of public utilities within the easement. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement located at 235 Roberts Street (Steve and Beckie Glause). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 235 Roberts Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The overhead power line had existed on the property for at least thirty years without benefit of an easement. The property had changed owners and probable uses. Staff recommended approval. No 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:

#9532 - Consideration of Vacation of Utility Easement at 235 Roberts Street - Glause

#9533 - Consideration of Revision of Chapter 35 of the Grand Island City Code Relative to Water

#9534 – Consideration of Adoption of Amendments to Chapter 36 of the Grand Island City Code Relative to Zoning Regulations

#9535 – Consideration of Request to Rezone Property Located at 4311 West 13th Street from TA Transitional Agriculture to LLR Large Lot Residential (Niedfelt Property Management, LLC)

#9536 – Consideration of Annexation of Property Proposed for Platting as GI Acres Subdivision Located at 4311 West 13th Street (First Reading)

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 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.

#9532 - Consideration of Vacation of Utility Easement at 235 Roberts Street - Glause

Utilities Director Tim Luchsinger reported that the owner of 235 Roberts Street had requested the vacation of the easement so a building could be constructed on two lots. Staff recommended approval.

Motion by Donaldson, second by Paulick to approve Ordinance #9532.

City Clerk: Ordinance #9532 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 #9532 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 Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9532 is declared to be lawfully adopted upon publication as required by law.

#9533 - Consideration of Revision of Chapter 35 of the Grand Island City Code Relative to Water

Utilities Director Tim Luchsinger reported that changes were needed to Chapter 35 of the Grand Island City Code relative to inaccuracies due to changes over time, current terminologies, and organization structure currently in place. Staff recommended approval.

Discussion was held regarding meters that could be read remotely. There were approximately 3,000 meters that did not have remote capability. Explained was the process of averaging water bills for those meters that could not be read monthly. Mr. Luchsinger stated new construction required smart readers.

Motion by Haase, second by Hehnke to approve Ordinance #9533.

City Clerk: Ordinance #9533 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 #9533 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 Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9533 is declared to be lawfully adopted upon publication as required by law.

#9534 – Consideration of Adoption of Amendments to Chapter 36 of the Grand Island City Code Relative to Zoning Regulations

This item related to the aforementioned Public Hearings. Staff recommended approval. Discussion was held regarding feedback from Group Homes. Mr. Nabity stated the feedback he received was positive.

Motion by Paulick, second by Haase to approve Ordinance #9534.

City Clerk: Ordinance #9534 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 #9534 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 Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9534 is declared to be lawfully adopted upon publication as required by law.

#9535 – Consideration of Request to Rezone Property Located at 4311 West 13th Street from TA Transitional Agriculture to LLR Large Lot Residential (Niedfelt Property Management, LLC)

This item related to the aforementioned Public Hearings. Staff recommended approval. Discussion was held regarding the number of lots. Mr. Lewis stated there was one lot at this time.

Motion by Stelk, second by Fitzke to approve Ordinance #9535.

City Clerk: Ordinance #9535 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 #9535 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 Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9535 is declared to be lawfully adopted upon publication as required by law.

#9536 – Consideration of Annexation of Property Proposed for Platting as GI Acres Subdivision Located at 4311 West 13th Street (First Reading)

This item related to the aforementioned Public Hearing.

Motion by Donaldson, second by Haase to approve Ordinance #9536 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA: Consent Agenda item G-5 was pulled from the agenda. Motion by Fitzke, second by Stelk to approve the Consent Agenda excluding item G-5. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of March 24, 2015 City Council Regular Meeting.

Approving Minutes of March 28, 2015 City Council Study Session (Retreat).

Approving Minutes of April 7, 2015 City Council Study Session.

Approving Appointment of Ryan Hand to the Downtown Business Improvement District 2013 Board.

#2015-85 - Approving Final Plat and Subdivision Agreement for Sterling Estates 4th Subdivision. This item was pulled at the request of the developer.

#2015-86 - Approving Statewide Arboretum Grant Re-Application for Trees at Kaufmann Cummings Plaza.

#2015-87 - Approving Extension Request for Community Development Block Grant 12-DTR-104 to April 1, 2016.

#2015-88 - Approving Acquisition of Public Utility Easement for Hall County Sanitary Sewer District 2 (SID 2) [Wilkinson Development, Inc.] in the Amount of \$1,200.00.

#2015-89 - Approving Temporary Construction Easement for Hall County Sanitary Sewer District 2 (SID 2) [Wilkinson Development, Inc./Bosselman Oil, Inc./Pragya, Inc./Sinha] in the Amounts of \$620.00; \$2,550.00; 2,930.00; and \$590.00 respectively.

#2015-90 - Approving Award of Proposal for Polymer for Primary/Final Clarifier Sludge with Consolidated Water Solutions of Omaha, NE in an Amount of \$1.48 per pound.

#2015-91 - Approving Amendment No. 1 to Agreement for Engineering & Consulting Services for Step 7 Detailed Site Assessment at the Former Grand Island Disposal Area with G.N. Kuhn Engineering, LLC of Omaha, NE for an Increase not-to-exceed \$11,450.00 and a Revised Agreement Amount of \$91,400.00.

#2015-92 - Approving Amendment No. 10 to the Agreement for Professional Engineering Services entitled "Wastewater Treatment Plant and Collection System Rehabilitation" with Black & Veatch for an Increase of \$46,000.00 and a Revised Agreement Amount of \$9,227,115.00.

#2015-93 - Approving Bid Award for Handicap Ramp Project No. 2015-HC-1 with The Diamond Engineering Company of Grand Island, NE in an Amount of \$197,706.81.

#2015-94 - Approving Acquisition of Utility Easement located at 235 Roberts Street (Steve and Beckie Glause).

#2015-95 - Approving Change Order No. 1 for Voltage Regulator Upgrades at Platte Generating Station with ABB, Inc. of St. Laurent, Quebec, Canada for an Increase of \$20,318.23 and a Revised Contract Amount of \$564,554.23.

#2015-96 - Approving Bid Award for Water Main District 467T - Engleman Road from Old Potash Highway, South 1/2 Mile with Judds Brothers Construction Company of Lincoln, NE in an Amount of \$299,498.90.

#2015-97 - Approving Adoption of the Grand Island Zoning Map.

#2015-98 - Approving Neighborhood Stabilization Program Re-Use Funds Development Agreement with Habitat for Humanity.

#2015-99 - Approving Change Order No. 2 for Headworks Improvement Project No. WWTP-2013-1 with Garney Companies, Inc. of Gardner, KS for a Decrease of \$42,498.00 and a Revised Contract Amount of \$16,850,757.00.

#2015-100 - Approving Dog Park Location at L. E. Ray Lake.

#2015-101 – Approving Rental of Commercial Space Contract with St. Francis Medical Center of Grand Island, NE in an Amount of \$231.00 for the first year, \$235.62 for the second year, and \$240.24 for the third year.

#2015-102 – Approving Contract for Medical Testing with Twin Rivers Urgent Care, LLC of Grand Island, NE in an Amount of \$908.50.

REQUESTS AND REFERRALS:

Consideration of Forwarding Blighted and Substandard Area #17 - Husker Highway Redevelopment Study to the Hall County Regional Planning Commission. Regional Planning Director Chad Naby reported that Chief Industries had submitted a blight and substandard study for an area they intended to develop. The property consisted of 116.5 acres and was located in the southwest portion of Grand Island west of U.S. Highway 281 south of Husker Highway. Staff recommended Council move this forward to the Regional Planning Commission.

Discussion was held regarding the development and the use of Tax Increment Financing (TIF). Mr. Naby stated he thought this project would develop quicker with TIF financing. This item would come back to Council for final approval.

Motion by Haase, second by Donaldson to approve forwarding the Blighted and Substandard Area #17 – Husker Highway Redevelopment Study to the Regional Planning Commission. Upon roll call, all voted aye. Motion adopted.

RESOLUTIONS:

#2015-103 - Consideration of Request from Jarhead, Inc. dba Texas T-Bone, 1201 South Locust Street for a Class “C” Liquor License and Liquor Manager Designation for Jesus Lopez-Ramirez, 328 South Plum Street. This item related to the aforementioned Public Hearing.

Motion by Donaldson, second by Minton to approve Resolution #2015-103. Upon roll call vote, all voted aye. Motion adopted.

#2015-104 - Consideration of Appointment of Aaron Schmid as Human Resources Director. City Administrator Marlan Ferguson reported that Aaron Schmid had been interviewed and selected



as the next Human Resources Director and was prepared to start work on April 27, 2015. He would start at Step 9 of the Human Resources Director salary table at \$89,225.73 annually.

Motion by Stelk, second by Paulick to approve Resolution #2015-104. Upon roll call vote, all voted aye. Motion adopted.

Mr. Schmid thanked and Council and stated he looked forward to joining this community and the organization.

PAYMENT OF CLAIMS:

Motion by Hehnke, second by Donaldson to approve the Claims for the period of March 25, 2015 through April 14, 2015, for a total amount of \$4,235,580.83. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:16 p.m.

RaNae Edwards  
City Clerk