



City of Grand Island

Tuesday, May 12, 2015

Council Session

Item G-1

Approving Minutes of April 28, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
April 28, 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 28, 2015. Notice of the meeting was given in *The Grand Island Independent* on April 22, 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, Julie Hehnke, Linna Dee Donaldson, Michelle Fitzke, Vaughn Minton, Roger Steele, and Mike Paulick. Councilmember Chuck Haase 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 Mayor Jeremy L. Jensen followed by the PLEDGE OF ALLEGIANCE.

Mayor Jensen introduced Community Youth Council members Hannah Price and Annie Albers.

PRESENTATIONS AND PROCLAMATIONS:

Presentation by the Nebraska Department of Economic Development to Grand Island as a Certified Economic Development Community. Brenda Hicks-Sorenson, Director of the DED presented an award to the City as a “Certified Economic Community”.

Recognition of Scott Kuehl, Shift Commander with the Fire Department for 20 Years of Service with the City of Grand Island. Mayor Jensen and the City Council recognized Scott Kuehl, Shift Commander with the Fire Department for 20 years of service with the City. Fire Chief Cory Schmidt commented on Mr. Kuehl’s service. Mr. Kuehl was present for the recognition.

Recognition of Bryan Stutzman, Shift Commander with the Fire Department for 30 Years of Service with the City of Grand Island. Mayor Jensen and the City Council recognized Bryan Stutzman, Shift Commander with the Fire Department for 30 years of service with the City. Fire Chief Cory Schmidt commented on Mr. Stutzman’s service. Mr. Stutzman was present for the recognition.

Proclamation “National Day of Prayer” May 7, 2015. Mayor Jensen proclaimed May 7, 2015 as “National Day of Prayer”. Kaylene Hosier was present to receive the proclamation.

Proclamation “Child Abuse Prevention Month” April 2015. Mayor Jensen proclaimed the month of April 2015 as “Child Abuse Prevention Month”. Yolanda Nunico was present to receive the proclamation.

Proclamation “Be Kind to Animals Week” May 3-9, 2015. Mayor Jensen proclaimed the week of May 3-9, 2015 as “Be Kind to Animals Week”. Jill Hornady, Laurie Dethlof, and Annie Albers were present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Gas Island II, LLC dba Gas Island II, 2012 North Webb Road for a Class “D” Liquor License. City Clerk RaNae Edwards reported that an application for a Class “D” Liquor License had been received from Gas Island II, LLC dba Gas Island II, 2012 North Webb Road. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 10, 2015; notice to the general public of date, time, and place of hearing published on April 18, 2015; notice to the applicant of date, time, and place of hearing mailed on April 10, 2015; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Steve Dowding, attorney for the applicant spoke in support. No public further testimony was heard.

Public Hearing on Acquisition of Public Utility Easement for Hall County Sanitary Sewer District 2 (SID 2) [Pragya, Inc./Bosselman, Inc./Bosselman Oil, Inc.]. Public Works Director John Collins reported that utility easements were needed in order to extend City sanitary sewer to businesses along US Highway 281 to the Interstate 80 interchange. These easements 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 South of Faidley Avenue and West of the Surgery Center (T & E Cattle Co). Public Works Director John Collins reported that acquisition of a utility easement located south of Faidley Avenue and west of the Surgery Center was needed in order to install and maintain utilities for Faidley Avenue Paving Improvements; Project No. 2015-P-1 and Faidley Avenue Water Improvements; Project No. 2014-W-14. The utility easement would allow for the improvements to the roadway and drainage along this portion of Faidley Avenue. Staff recommended approval. No public testimony was heard.

ORDINANCES:

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

City Administrator Marlan Ferguson stated this was the second of three readings for the annexation of GI Acres Subdivision located at 4311 West 13th Street.

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

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

- #9537 – Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Bee Keeping
- #9530 – Consideration of Amending Chapter 29 of the Grand Island City Code Relative to Food Manager Permits

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.

- #9537 – Consideration of Amending Chapter 5 of the Grand Island City Code Relative to Bee Keeping

Assistant City Attorney Stacy Nonhof reported this was the action item from the Study Session of April 21, 2015 regarding bee keeping.

The following people spoke in support:

- Kurt Busskohl, 4164 Norwood Drive
- Brian Nilson, 108 Carnahan Street, Marquette, NE
- Judy Weseman, 707 North Brass Avenue, Juniata, NE
- Cory Proskocil, 2319 Stardust Lane
- Chris Rosacker, 1123 W. Division Street

Lewis Kent, 624 Meves Avenue spoke in opposition.

Motion by Nickerson, second by Minton to approve Ordinance #9537.

Discussion was held regarding neighborhood notification. Comments were made concerning over regulation, enforcement by the Animal Control, and eliminating bees from the City Code as vermin. Mr. Sivick stated he did not think eliminating bees as vermin from the City Code would allow or disallow bees in Grand Island.

Motion by Donaldson, second by Hehnke to amend the motion to change the current code regarding bees as vermin and allow bee keeping in Grand Island. Upon roll call vote, Councilmembers Fitzke, Donaldson, and Hehnke. Councilmembers Paulick, Steele, Minton, Jones, Stelk, and Nickerson voted no. Motion failed.

Further discussion was held regarding the importance of regulations and neighbor notification versus neighbor consent.

Motion by Jones, second by Nickerson to amend Section 5-53 relative to notification of the residents of the properties that directly abut the lot of the property of the applicant using the Central District Health Department approved form. Upon roll call vote, Councilmembers Minton, Donaldson, Jones, Stelk, and Nickerson voted aye. Councilmembers Paulick, Steele,

Fitzke, and Hehnke voted no. Mayor Jensen cast the sixth and deciding vote in favor. Motion adopted.

City Clerk: Ordinance #9537 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Jones, Stelk, and Nickerson voted aye. Councilmembers Paulick, Donaldson, and Hehnke voted no. Motion adopted.

City Clerk: Ordinance #9537 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, Councilmembers Steele, Minton, Fitzke, Jones, Stelk, and Nickerson voted aye. Councilmembers Paulick, Donaldson, and Hehnke voted no. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9537 is declared to be lawfully adopted upon publication as required by law.

#9530 – Consideration of Amending Chapter 29 of the Grand Island City Code Relative to Food Manager Permits

Assistant City Attorney Stacy Nonhof reported this was the action item from the Study Session of April 21, 2015 regarding Food Manager Permits. These changes were at the request of the Central District Health Department. Explained were the changes proposed.

The following people spoke in opposition:

- Matthew Ripp, representing Best Western, 2707 South Locust Street
- Paul Wicht, 1708 Jerry Drive
- Chris Rosacker, 1123 W. Division Street

Comments were made regarding this Ordinance not being needed and over regulation by the City. Jeremy Collinson representing the Central District Health Department commented on being proactive in handling food and that in the future this would be required. Comments were made regarding inspections and those businesses that failed inspections should be required to take the courses and be certified and not those businesses that passed their inspections.

Motion by Stelk, second by Minton to deny Ordinance #9530.

City Clerk: Ordinance #9530 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Paulick, Steele, Minton, Fitzke, Hehnke, Jones, and Stelk voted aye. Councilmembers Donaldson, and Nickerson voted no. Motion adopted.

CONSENT AGENDA: Consent Agenda item G-14 (Resolution #2015-115) was removed for further discussion. Motion by Donaldson, second by Paulick to approve the Consent Agenda excluding item G-14. Upon roll call vote, all voted aye. Motion adopted.

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

Approving Minutes of April 21, 2015 City Council Study Session.

Receipt of Official Documents – Pawnbroker’s Official Bonds for G.I. Loan Shop, 1004 West 2nd Street and Express Pawn, 645 South Locust Street.

#2015-105 - Approving Letter of Intent with Invenergy concerning a Wind Project at a Wind Generation Project Complex in Nebraska.

#2015-106 - Approving Contract for Architectural Services for Remodel of the Utilities Dept. Electric Service Center - 1116 W. N. Front Street with JEO Architecture, Inc. of Lincoln, NE in an Amount not-to-exceed \$45,000.00.

#2015-107 - Approving Coal Purchase for Platte Generating Station for remainder of 2015 and 2016 with Cloud Peak Energy from the Cordero Rojo Mine.

#2015-108 - Approving Change Order #1 for Circulation Water Pump Repair 1A at Platte Generating Station with Brimhall Industrial, Inc. of Monte Vista, CO for an Increase of \$8,404.85 and a Revised Contract Amount of \$83,224.60.

#2015-109 - Approving LUCAS Device Grant Acceptance.

#2015-110 - Approving Mission: Lifeline Grant Acceptance.

#2015-111 - Approving Purchase of a New Truck with Articulating Telescopic Aerial Device for the Streets Division of the Public Works Department from Altec Industries, Inc. of Birmingham, AL in an Amount of \$131,624.00.

#2015-112 - Approving Acquisition of Public Utility Easement for Hall County Sanitary Sewer District 2 (SID 2) [Pragya, Inc./Bosselman, Inc./Bosselman Oil, Inc.].

#2015-113 - Approving Acquisition of Utility Easement Located South of Faidley Avenue and West of the Surgery Center (T & E Cattle Co).

#2015-114 - Approving Certificate of Final Completion for Delta Street Drainage; Project No. 2014-D-1 with The Diamond Engineering Company of Grand Island, NE.

#2015-115 - Approving Request from the YMCA for Permission to Use City Streets and State Highway for the 2015 June Jamboree Race. Public Works Director John Collins stated this was an annual event for the YMCA and needed the State Department of Roads approval to use state highways. Discussion was held regarding the route and traffic control.

Motion by Nickerson, second by Minton to approve Resolution #2015-115. Upon roll call vote, all voted aye. Motion adopted.

#2015-116 - Approving State Bid for Replacement Vehicle (Unit #95) - 2016 Ford F250 Truck with Utility Body for the Utilities Department, Water Division with Sid Dillon Ford of Ceresco, NE in an Amount of \$49,059.00.

RESOLUTIONS:

#2015-117 - Consideration of Request from Gas Island II, LLC dba Gas Island II, 2012 North Webb Road for a Class "D" Liquor License and Liquor Manager Designation for Doug Luth, 4390 No. 90th, Wood River, NE. This item related to the aforementioned Public Hearing.

Motion by Stelk, second by Hehnke to approve Resolution #2015-117 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

Council took a break at 9:01 p.m. and reconvened at 9:07 p.m.

#2015-118 - Consideration of Approving Contract with PST Services, Inc., a McKesson Company for Emergency Medical Billing Services. Interim Finance Director William Clingman reported that currently the Finance Department processed the billing of all ambulance department services. A request for proposal (RFP) was sent out in February and the City received seven responses. Two companies were interviewed by a selection committee with a recommendation of awarding a contract to PST Services, Inc. a McKesson company.

Mauricio Chavez representing McKesson gave a short PowerPoint presentation regarding their services. Discussion was held regarding the differences between this proposal and the proposals received prior. Mr. Clingman stated there were more proposals this time, more robust, and better pricing. Mr. Sivick explained the confidentiality of the proposal submitted by PST Services, Inc. Fire Chief Cory Schmidt commented on the cost savings and recommended approval. Mr. Chavez stated they did not do bad debt collection.

Tracy Overstreet with the Grand Island Independent objected to not releasing the amount of the contract.

Motion by Donaldson, second by Stelk to approve Resolution #2015-118. Upon roll call vote, Councilmembers Minton, Fitzke, Donaldson, Hehnke, Jones, Stelk, and Nickerson voted aye. Councilmembers Paulick and Steele voted no. Motion adopted.

#2015-119 - Consideration of Approving Allocation of \$100,000 Nebraska State Fair Gift. Mayor Jensen recommended awarding the \$100,000 from the Nebraska State Fair to the following:

- \$50,000 to the implementation phase of the Grow Grand Island initiative
- \$20,000 administered by the Grand Island Community Foundation with the purpose of the dollars being used for paying entry fees for activities such as youth sports, band, dance, etc. for underprivileged children with the limitation of \$100 per child per year
- \$10,000 to the newly established Grand Island Livestock Complex Authority organization to assist in marketing the world class facilities at the State Fair Park

- \$10,000 to the Downtown Business Improvement District for promotion of activities and events in the downtown area
- \$10,000 to be earmarked for the initiative to redevelop the Grand Island Veterans Home site

Discussion was held regarding the \$20,000 to the Grand Island Community Foundation and if this would go toward administration fees. Mayor Jensen stated it would not.

Motion by Hehnke, second by Steele to approve Resolution #2015-119. Upon roll call vote, all voted aye. Motion adopted.

#2015-120 - Consideration of Approving Update to Resolution No. 2009-30; Designated Truck Routes within the City of Grand Island. Public Works Director John Collins reported that updates to the current truck routes would reflect the changes and present an accurate description of routes currently used by trucks. Comments were made regarding this being part of the GIAMPO Plan. Mentioned was concern of Stolley Park being a truck route.

Motion by Minton, second by Hehnke to approve Resolution #2015-120. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Jones to approve the Claims for the period of April 15, 2015 through April 28, 2015, for a total amount of \$4,327.630.44. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:41 p.m.

RaNae Edwards
City Clerk