



City of Grand Island

Tuesday, June 23, 2015

Council Session

Item G-2

Approving Minutes of June 9, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
June 9, 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 June 9, 2015. Notice of the meeting was given in *The Grand Island Independent* on June 3, 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 Rene Lopez, Iglesia de Dios, 2325 West State Street followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARING:

Public Hearing on Redevelopment Plan for Husker Highway Redevelopment Area 17 located at the Southwest Corner of U.S. Highway 281 and Husker Highway (Chief Industries). Regional Planning Director Chad Nabity reported that Chief Industries, Inc. had commissioned a Blighted and Substandard Study for approximately 116 acres referred to as Husker Highway Redevelopment Area 17. This property is located at the southwest corner of U.S. Highway 281 and Husker Highway in southwest Grand Island. Staff recommended approval.

The following people spoke in support:

- Cindy Johnson, Chamber of Commerce
- Jay Vavricek, 2729 Brentwood Blvd.
- Brad Mellema, Convention & Visitors Bureau
- Pat O'Neill, 1516 South Gunbarrel Road
- Dave Taylor, Economic Development Corporation
- Tom Huston, Lincoln, NE, Attorney for Chief Industries
- Lewis Kent, 624 Meves Avenue

No further public testimony was heard.

ORDINANCE:

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

#9539 – Consideration of Amending Chapter 22 of the Grand Island City Code Relative to Window Stickers

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 this ordinance 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.

City Attorney Bob Sivick reported that current City Code 22-25(3) does not allow any stickers, signs, or any other material other than that required by law in the windows of motor vehicles. It was recommended that City Code 22-25(3) be changed to reflect state statute language.

The following people spoke in support:

- Mark Porto, 123 No. Locust Street
- Robert Alexander, 661 Faidley Court
- Paul Wicht, 1708 Jerry Drive
- Debra Gregory, 4159 W. Faidley Avenue

Lewis Kent, 624 Meves Avenue spoke in opposition.

Comments were made regarding the number of sticker’s currently on vehicle windows and that people did not know they were illegal. Also mentioned was the inconsistency of state statutes with reference to the Grand Island City Code.

Motion by Steele, second by Hehnke to approve Ordinance #9539.

City Clerk: Ordinance #9539 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 #9539 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 final passage, Ordinance #9539 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda item G-6 (Resolution #2015-143) was removed for further discussion. Motion by Paulick, second by Jones to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 26, 2015 City Council Regular Meeting.

Approving Appointment of Jackie Bowen to the Downtown Business Improvement District 2013 Board.

Approving Request for Liquor Manager Designation for Tyra Love, 211 South Sycamore Street with Smoker Friendly Liquor & Tobacco #018, 710 Diers Avenue, Suite L.

Approving Request for Liquor Manager Designation for Jack Bailey, 3100 West 2nd Street with Smoker Friendly/T & D Liquors, 802 West 2nd Street.

#2015-142 - Approving Contract Renewal with Environmental Systems Research Institute (ESRI) for Geographic Information System (GIS) in an Amount of \$105,000 to be paid in three annual installments.

#2015-143 - Approving Power Purchase Agreement with Invenergy for the Prairie Breeze III Project. Utilities Director Tim Luchsinger reported that on March 24, 2015 Council approved execution of a Non-Disclosure Agreement with Invenergy to begin discussions regarding a wind energy project, and on April 28, 2015 approved execution of a Letter of Intent with Invenergy for a non-binding agreement to purchase wind energy. Since that date, City Administration and Department staff had held discussions with Invenergy regarding a Power Purchase Agreement (PPA) between the City and Invenergy's Prairie Breeze Wind Energy III Project. The discussions resulted in a proposed plan for the City to consider execution of a PPA with Invenergy for the entire capacity of the Project with subsequent participation agreements between the City and the Nebraska City Utilities and the City of Neligh for minority positions in the Project. This information was presented during a hearing of the Nebraska Power Review Board on May 22, 2015 for the Project based on need and cost, and the Project was approved contingent on the execution of a PPA between Invenergy and the City. Subsequently, the City engaged the services of Fraser Stryker for legal counsel for the PPA negotiations with Invenergy.

Mentioned was the time sensitive nature of this item.

Motion by Haase, second by Nickerson to approve Resolution #2015-143. Upon roll call vote, Councilmembers Paulick, Minton, Fitzke, Donaldson, Hehnke, Haase, Jones, Stelk, and Nickerson voted aye. Councilmember Steele voted no. Motion adopted.

#2015-144 - Approving Agreement Supplemental No. 1 for Construction Engineering Services for Capital Avenue Widening – Webb Road to Broadwell Avenue with Olsson Associates of Grand Island, NE for a Fixed-Fee-For-Profit of \$69,440.92 and up to a Maximum Amount of \$533,401.18.

#2015-145 - Approving Time Extension to the Contract for Sanitary Sewer District No. 528 and No. 530T with Van Kirk Brothers Contracting of Sutton, NE to June 10, 2015.

#2015-146 - Approving Bid Award for the 2015 Asphalt Resurfacing Project No. 2015-AC-1 with J.I.L. Asphalt Paving Co. of Grand Island, NE in an Amount of \$955,830.76.

#2015-147 - Approving Agreement with Nebraska Department of Roads for Asphalt Resurfacing Project No. 2015-AC-1.

#2015-148 - Approving Revision to One Year Street Improvement Plan.

#2015-149 - Approving Agreement with NDOR for the Grand Island Area Metropolitan Planning Organization (GIAMPO) for the 2016 Fiscal Year's Transportation Planning Program with Local Funds not to exceed \$99,403.25.

RESOLUTIONS:

#2015-150 - Consideration of Approving Redevelopment Plan for Husker Highway Redevelopment Area 17 located at the Southwest Corner of U.S. Highway 281 and Husker Highway (Chief Industries). This item relates to the aforementioned Public Hearing. Discussion was held regarding the Tax Increment Financing (TIF) funding for this property and revenue this developed area would bring into the City in the future. Comments were made concerning the development along Highway 281 to the interstate. Mentioned was that this property meets the requirements for a Blighted and Substandard designation and that Chief Industries was a local company. Reviewed were the definitions of substandard and blighted with relation to this 116 acres.

Motion by Nickerson, second by Donaldson to approve Resolution #2015-150. Upon roll call vote, all voted aye. Motion adopted.

#2015-151 - Consideration of FTE Amendment for the Wastewater Division of the Public Works Department. Public Works Director John Collins reported that with the current updates taking place at the Wastewater Division he was recommending the deletion of (1) FTE Maintenance Mechanic II and the addition of (1) FTE Laboratory Technician. Council complimented the Wastewater Division regarding the operations and changes made.

Motion by Donaldson, second by Haase to approve Resolution #2015-151. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Fitzke, second by Hehnke to approve the Claims for the period of May 27, 2015 through June 9, 2015, for a total amount of \$3,424,324.98. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:51 p.m.

RaNae Edwards
City Clerk