



City of Grand Island

Tuesday, August 11, 2015

Council Session

Item G-1

Approving Minutes of July 28, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
July 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 July 28, 2015. Notice of the meeting was given in *The Grand Island Independent* on July 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, 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.

Mayor Jensen introduced Community Youth Council member Carolyn Thayer and board member Ryan Seaman.

INVOCATION was given by Mayor Jensen followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Request from McKenney's Pub, LLC dba, McKinney's Irish Pub, 123 West 3rd Street for a Class "I" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "I" Liquor License had been received from McKenney's Pub, LLC dba McKinney's Irish Pub, 123 West 3rd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 25, 2015; notice to the general public of date, time, and place of hearing published on July 18, 2015; notice to the applicant of date, time, and place of hearing mailed on June 26, 2015; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from Shopko Stores Operating Co., LLC dba, Shopko #38, 2208 North Webb Road for a Class "B" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "B" Liquor License had been received from Shopko Stores Operating Co., LLC dba Shopko #38, 2208 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 June 24, 2015; notice to the general public of date, time, and place of hearing published on July 18, 2015; notice to the applicant of date, time, and place of hearing mailed on June 25, 2015; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 168 E. Capital Avenue (Joel Leetch & Janet Stryker). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located

at 168 E. Capital Avenue was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used for a new residence and out-building for a commercial business. Staff recommended approval. No public testimony was heard.

Public Hearing on Declaration of Intent to Use the Remainder of Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System Improvements. It was noted that the City had been approved for up to \$40,000,000 from the Clean Water State Revolving Loan Fund Program (CWSRF) administered by the Nebraska Department of Environmental Quality (NDEQ) to pay for the remaining wastewater projects. This request was to include Westwood Park Residential Subdivision and Lift Station #20 Forcemain rehabilitation in the remainder of the CWSRF Loan. Public Works Director John Collins stated this was the first step to get the money from NDEQ for these two additional projects. Staff recommended approval. John Lilly, 819 Driftwood Court and Russ Warneke, 4028 Driftwood Drive spoke in a neutral position and requested more information as the project progressed. No further public testimony was heard.

Public Hearing on Acquisition of Public Utility Easements- South of Capital Avenue, East of North Road, North of Sterling Estates Fourth Subdivision (Niedfelt Property Management Preferred, LLC). Public Works Director John Collins reported that additional public utility easements were needed within the Sterling Estates Subdivision area. These easements would allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easements. Staff recommended approval. No public testimony was heard.

ORDINANCE:

#9544 - Consideration of Annexation of Property being Platted as Stauffer Subdivision located at the Northwest Corner of Wildwood Drive and U.S. Highway 281 (Final Reading)

Regional Planning Director Chad Nabity reported that all property subdivided adjacent to the Corporate Limits of the City of Grand Island shall be annexed into the City at the time of the subdivision approval. The Mitchell H. Stauffer Revocable Trust, as owners of the property, submitted Stauffer Subdivision as an addition to the City. Annexation ordinances must be read at three separate meetings. This is the final of three readings.

Motion by Paulick, second by Donaldson to approve Ordinance #9544 on final reading. Upon roll call vote, all voted aye. Motion adopted.

CONSENT AGENDA: Consent Agenda item G-6 was pulled for further discussion. Motion by Hehnke, second by Stelk to approve the Consent Agenda excluding item G-6. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of July 13, 2015 City Council Joint Health Meeting.

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

Approving Minutes of July 21, 2015 City Council Special (Budget) Meeting.

Approving Appointments of Todd Enck, Marv Webb, Brad Kissler, and Justin Oseka to the Building Code Advisory Board.

Approving Appointments of Al Avery, Mike Nolan, Glen Murray, John Schultz, Karen Bredthauer, and Deb Trosper to the Zoning Board of Adjustment.

Approving Liquor Manager Designation for Renee Snider, 11920 W. Beam Hill Road, Denton, NE for Walgreen's #3467, 1515 West 2nd Street and Walgreen's #12538, 1230 N. Webb Road. Discussion was held regarding the liquor manager being responsible for the daily operations in more than one location and not being a resident of Grand Island.

Motion by Steele, second by Donaldson to deny the request. Upon roll call vote, Councilmembers Paulick, Steele, Donaldson, Jones, and Stelk voted aye. Councilmembers Minton, Fitzke, Hehnke, Haase, and Nickerson voted no. Mayor Jensen voted no. Motion failed.

Motion by Haase, second by Hehnke to approve the request. Upon roll call vote, Councilmembers Minton, Fitzke, Hehnke, Haase, and Nickerson voted aye. Councilmembers Paulick, Steele, Donaldson, Jones, and Stelk voted no. Mayor Jensen cast the sixth and deciding vote in favor. Motion adopted.

#2015-188 - Approving Final Plat and Subdivision Agreement for Stauffer Subdivision. It was noted that the Mitchell H. Stauffer Revocable Trust, Robin Stauffer, Successor Trustee, developer/owner, had submitted the Final Plat and Subdivision Agreement for Stauffer Subdivision for the purpose of creating 1 lot located west of US Hwy 281 and north of Wildwood Drive consisting of 5.662 acres.

#2015-189 - Approving Acquisition of Utility Easement - 168 E. Capital Avenue (Joel Leetch & Janet Stryker).

#2015-190 - Approving Bid Award - Burdick Pumping Station Motor Control Center with Kriz-Davis Company of Grand Island in an Amount of \$52,756.96.

#2015-191 - Approving Sale of Residual (No. 6) Fuel Oil to Conjopa Oil, LLC of Ashley, OH in an Amount of \$0.0125 per new pound.

#2015-192 - Approving Acquisition of Public Utility Easements- South of Capital Avenue, East of North Road, North of Sterling Estates Fourth Subdivision (Niedfelt Property Management Preferred, LLC).

#2015-193 - Approving Certificate of Final Completion for Claude Road Drainage Improvement Project No. 2013-D-2 with The Diamond Engineering Company of Grand Island, NE.

#2015-194 - Approving Certificate of Final Completion for Westgate Drainage Improvements; District No. 2013-D-4 with The Diamond Engineering Company of Grand Island, NE.

#2015-195 - Approving Designating Portions of the East Side of Custer Avenue, North of Faidley Avenue, as No Parking.

#2015-196 - Approving Bid Award for Sterling Park Site Development – 2015 with The Diamond Engineering Company of Grand Island, NE in an Amount of \$92,686.63.

#2015-197 - Approving Bid Award for Sterling Estates Park Furnishing & Installation of Irrigation System with Tilley Sprinklers & Landscaping of Grand Island, NE in an Amount of \$33,337.00.

RESOLUTIONS:

#2015-198 - Consideration of Request from McKenney’s Pub, LLC dba, McKinney’s Irish Pub, 123 West 3rd Street for a Class “I” Liquor License and Liquor Manager Designation for Joel Schossow, 5970 Gunnison Court, Lincoln, NE. This item relates to the aforementioned Public Hearing. Questions were asked of Joel Schossow regarding the duties of being a liquor manager and living in Lincoln. Mr. Schossow stated he would be in Grand Island 5 to 6 days a week.

Motion by Hehnke, second by Haase to approve Resolution #2015-198. Upon roll call vote, all voted aye. Motion adopted.

#2015-199 - Consideration of Request from Shopko Stores Operating Co., LLC dba, Shopko #38, 2208 North Webb Road for a Class “B” Liquor License and Liquor Manager Designation for James Larson, 17212 U Street, Omaha, NE. This item relates to the aforementioned Public Hearing. Comments were made regarding the number of other stores Mr. Larson managed. Mentioned was the consistency the bigger corporations had with one manager across many stores.

Motion by Haase, second by Fitzke to approve Resolution #2015-199. Upon roll call vote, Councilmembers Minton, Fitzke, Hehnke, Haase, and Nickerson voted aye. Councilmembers Paulick, Steele, Donaldson, Jones, and Stelk voted no. Mayor Jensen cast the sixth and deciding vote in favor. Motion adopted.

#2015-200 - Consideration of Approving FY 2015-2016 Annual Budget for Downtown Business Improvement District 2013 and setting Date for Board of Equalization. Interim Finance Director William Clingman reported that the Downtown Business Improvement District 2013 had submitted their FY 2015-2016 budget for special assessments in the amount of \$95,481 and setting the Board of Equalization date for September 8, 2015.

Discussion was held regarding the shortfall between revenues and expenses. Mr. Clingman stated they had a cash balance carryover. Downtown BID Director Christie DePoorter commented on pursuing grants and donations to do additional events in downtown. No tax dollars were budgeted for the Downtown BID.

Motion by Donaldson, second by Minton to approve Resolution #2015-200. Upon roll call vote, all voted aye. Motion adopted.

#2015-201 - Consideration of Approving FY 2015-2016 Annual Budget for Fonner Park Business Improvement District from Stolley Park Road to Fonner Park Road, and setting Date for Board of Equalization. Interim Finance Director William Clingman reported that the Fonner Park Business Improvement District had submitted their FY 2015-2016 budget for special assessments in the amount of \$39,592 and setting the Board of Equalization date for September 8, 2015.

Motion by Haase, second by Hehnke to approve Resolution #2015-201. Upon roll call vote, all voted aye. Motion adopted.

#2015-202 - Consideration of Approving FY 2015-2016 Annual Budget for the South Locust Business Improvement District 2013 from Stolley Park Road to Highway 34, and setting Date for Board of Equalization. Interim Finance Director William Clingman reported that South Locust Business Improvement District 2013 had submitted their FY 2015-2016 budget for special assessments in the amount of \$71,152 and setting the Board of Equalization date for September 8, 2015.

Motion by Paulick, second by Steele to approve Resolution #2015-202. Upon roll call vote, all voted aye. Motion adopted.

#2015-203 - Consideration of Approving Intent to Use the Remainder of Clean Water State Revolving Fund (CWSRF) Loan Proceeds for Sanitary Sewer Collection System Improvements. This item relates to the aforementioned Public Hearing. Discussion was held regarding the difference between this loan versus bonding. Mr. Clingman stated the interest rate was lower on the loan and there were no fees.

Motion by Donaldson, second by Haase to approve Resolution #2015-203. Upon roll call vote, all voted aye. Motion adopted.

#2015-204 - Consideration of Approving GITV High Definition Studio Upgrade. It was noted that over the last two years Grand Island Television (GITV) had undergone two phases to bring programming from analog to a digital platform as well as transitioning from standard definition to high definition (HD) programming. Phase three would include a full television control center HD upgrade. One request for qualifications was received from AVI Systems from Omaha, NE not to exceed \$100,000.00. Staff recommended approval.

Ms. Meyer introduced Guy Sauer from AVI Systems who gave a PowerPoint presentation of the HD Studio Upgrade. Discussion was held regarding doing this project all at once and not in phases. Mr. Sauer explained the process of the upgrade.

Motion by Minton, second by Paulick to approve Resolution #2015-204. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Fitske to approve the Claims for the period of July 15, 2015 through July 28, 2015, for a total amount of \$4,643,787.87. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:07 p.m.

RaNae Edwards
City Clerk