



City of Grand Island

Tuesday, October 13, 2015

Council Session

Item G-1

Approving Minutes of September 22, 2015 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
September 22, 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 September 22, 2015. Notice of the meeting was given in *The Grand Island Independent* on September 16, 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.

Mayor Jensen introduced Community Youth Council member Hunter Moural and board member Ramona Otto.

INVOCATION was given by Pastor John Hayes, Grace Baptist Church, 1115 South Vine Street followed by the PLEDGE OF ALLEGIANCE.

BOARD OF EQUALIZATION: Motion by Donaldson, second by Haase to adjourn to the Board of Equalization. Motion adopted.

#2015-BE-8 - Consideration of Determining Benefits for Water Main District 414T - Starlite Subdivision Lots 1 & 2. Utilities Director Tim Luchsinger reported that Water Main District 414T was built in 1994 as a tap district. Since then a portion of farm land had been subdivided into Starlite Subdivision consisting of two lots. Staff recommended the connection fee be proportionally split between the two lots.

Motion by Haase, second by Paulick to approve Resolution #2015-BE-8. Upon roll call vote, all voted aye. Motion adopted.

#2015-BE-9 - Consideration of Determining Benefits and Levy Special Assessments for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks. Public Works Director John Collins reported that work on Street Improvement District No. 1260 had been completed and cost for the project would be assessed to the adjacent property owners. Total cost of the project was \$1,611,703.25.

Mary Brenton, 1423 So. Webb Road questioned the assessments. Mark Stauss, 233 Redwood Road spoke in opposition. Mr. Collins commented on the assessment process and project over runs. City Attorney Robert Sivick explained the costs were assessed to the property owners in the district rather than all the taxpayers of the City. Sanitary sewer for this district was mentioned.

Motion by Nickerson, second by Minton to approve Resolution #2015-BE-9. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Donaldson, second by Fitzke to return to Regular Session. Motion adopted.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement - 1203 S. Stuhr Road - Midland Ag Service, Inc.). Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1203 S. Stuhr Road was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Verizon Wireless has recently constructed a new cell tower and equipment building located east of the Stuhr Road – Fonner Park Road intersection. In order to serve their facilities, the Utilities Department needed to acquire an easement for operation, maintenance, and access of primary underground power lines, a pad-mount transformer, and related electrical appurtenances. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 1911 Diers Avenue – Fugate. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 1911 Diers Avenue was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The Taco Bell restaurant located at the northeast corner of State Street and Diers Avenue is being completely rebuilt. In order to serve the new facilities, the Utilities Department needed to acquire an easement for operation, maintenance, and access of primary underground power lines, a pad-mount transformer, and related electrical appurtenances. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property located at 2228 North Webb Road from CD Commercial Development to Amended CD Commercial Development (Grand Island Joint Venture, LLC). Regional Planning Director Chad Nabity reported that the developers were requesting changes to the plan as approved to accommodate marketing opportunities and enhance the appearance of this property from the U.S. Highway 281 side. Staff recommended approval. No public testimony was heard.

Public Hearing on the Annual Report by the Grand Island Area Economic Development Corporation/Citizen Advisory Review Committee on the Economic Development Program Plan. Dehn Renter, President of the Citizen Advisory Review Committee (CARC) stated the CARC had met and recommended approval of the EDC Annual Report. Dave Taylor, president of Grand Island Area Economic Development Corporation (GIAEDC) gave the annual report. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement for the North Interceptor Phase II; Sanitary Sewer Project No. 2013-S-4(Grudzinski & Solorzano). Public Works Director John Collins reported that acquisition of public utility easements were needed for the North Interceptor Phase II in order to replace aged force main sanitary sewer, reduce or eliminate current sewer pumping station(s), and provide additional capacity for existing and new growth areas of Grand Island. 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.

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:

#9558 - Consideration of Request to Rezone Property located at 2228 North Webb Road from CD Commercial Development to Amended CD Commercial Development (Grand Island Joint Venture, LLC)

#9559 - Consideration of Assessments for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks

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.

#9558 - Consideration of Request to Rezone Property located at 2228 North Webb Road from CD Commercial Development to Amended CD Commercial Development (Grand Island Joint Venture, LLC)

Motion by Paulick, second by Stelk to approve Ordinance #9558.

City Clerk: Ordinance #9558 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 #9558 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 #9558 is declared to be lawfully adopted upon publication as required by law.

#9559 - Consideration of Assessments for Webb Road Street Improvement District No. 1260; South Webb Road Extending North from Stolley Park Road to Union Pacific Railroad Tracks

Motion by Minton, second by Donaldson to approve Ordinance #9559.

City Clerk: Ordinance #9559 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, Donaldson, Hehnke, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

City Clerk: Ordinance #9559 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, Donaldson, Hehnke, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

Mayor Jensen: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9559 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent agenda items G-14 (#2015-258), G-18 (#2015-262) and G-22 (#2015-266) were removed for further discussion. Motion by Stelk, second by Hehnke to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of September 8, 2015 City Council Meeting.

Approving Minutes of September 15, 2015 City Council Study Session.

Receipt of Official Document – Tort Claim filed by Dumale Bariyiga.

Approving Re-Appointments of Dehn Renter, Jeff Vinson, and Tim White to the Citizens Advisory Review Committee Board.

Approving Re-Appointment of Glen Murray to the Community Redevelopment Authority Board.

Approving Garbage Permits for Heartland Disposal and Mid-Nebraska Disposal, Inc. and Refuse Permits for Full Circle Rolloffs and O’Neill Transportation and Equipment LLC.

#2015-251 - Approving Final Plat and Subdivision Agreement for Grand Island Mall 18th Subdivision. It was noted that Grand Island Joint Ventures, LLC, owners, had submitted the Final Plat and Subdivision Agreement for Grand Island Mall 18th Subdivision for the purpose of creating 7 lots located north of State Street and east of US Highway 281 consisting of 16.43 acres.

#2015-252 - Approving Municipal Advisory Services Agreement with Smith Hayes Financial Services Corporation in an Amount of \$5,000 Annually.

#2015-253 - Approving Acquisition of Utility Easement located at 1203 S. Stuhr Road (Midland Ag Service, Inc.).

#2015-254 - Approving Acquisition of Utility Easement located at 1911 Diers Avenue (J. Larry Fugate Revocable Trust).

#2015-255 - Approving Bid Award for Purchase of Sulfuric Acid with Telemetry Program at Platte Generating Station with Univar of Omaha, NE in an Estimated Amount of \$65,575.92.

#2015-256 - Approving Renewable Energy Credit Agreement with Nebraska City, Nebraska.

#2015-257 - Approving Renewable Energy Credit Agreement with Neligh, Nebraska.

#2015-258 - Approving First Amendment to the License Agreement with Unite Private Network.

Motion by Haase, second by Hehnke to discuss this item on October 6, 2015 Study Session and take action on October 13, 2015. Upon roll call vote, all voted aye. Motion adopted.

#2015-259 - Approving Acquisition of Public Utility Easement for the North Interceptor Phase II; Sanitary Sewer Project No. 2013-S-4(Grudzinski & Solorzano).

#2015-260 - Approving Temporary Construction Easement for the North Interceptor Phase II; Sanitary Sewer Project No. 2013-S-4 (Grudzinski & Solorzano).

#2015-261 - Approving Certificate of Final Completion with Galvan Construction, Inc. of Grand Island, NE for Water Service Lowering at 219 East Charles Street and Scheduling the Board of Equalization for October 27, 2015.

#2015-262 - Approving Designating Loading Zone in Front of 363 North Cleburn Street. Gene Rossenberg, 363 North Cleburn Street spoke in support.

Motion by Donaldson, second by Nickerson to approve Resolution #2015-262. Upon roll call vote, all voted aye. Motion adopted.

#2015-263 - Approving Designation of Sole Source for Return Activated Sludge (RAS) Pumps at the Waste Water Treatment Plant with Pentair/Fairbanks-Nijhuis of Omaha, NE in an Amount of \$198,697.00.

#2015-264 - Approving Request from the GRACE Foundation for Permission to Use City Streets and State Highway for the 2016 10K Race and 2-Mile Family Fun Run.

#2015-265 - Approving Bid Award for CDBG Revitalization Fund -The Chocolate Bar with Fox Construction, Inc. of Grand Island, NE in an Amount of \$151,700.00.

#2015-266 - Approving Affirmation of Utilities Customer Service Center Plan for 1306 West 3rd Street. Discussion was held regarding drainage issues in the parking lot and a drive up window.

Motion by Nickerson, second by Minton to approve Resolution #2015-266. Upon roll call vote, Councilmembers Steele, Minton, Fitzke, Donaldson, Hehnke, Haase, Stelk, and Nickerson voted aye. Councilmember Paulick voted no. Motion adopted.

RESOLUTIONS:

#2015-267 - Consideration of Approving the Annual Report by the Grand Island Area Economic Development Corporation/Citizen Advisory Review Committee on the Economic Development Program Plan. This item was related to the aforementioned Public Hearing. Citizens Review Advisory Committee (CRAC) Chairman Dehn Renter introduced this item and stated the committee had approved the annual report.

Motion by Minton, second by Paulick to approve Resolution #2015-267. Upon roll call vote, all voted aye. Motion adopted.

#2015-268 - Consideration of Approving Funding for the Grand Island Area Economic Development Corporation. Economic Development President Dave Taylor presented the application for funding \$350,000 to the Grand Island Area Economic Development Corporation. Requested were the financial statements from GIAEDC.

Motion by Hehnke, second by Donaldson to approve Resolution #2015-268. Upon roll call vote, all voted aye. Motion adopted.

#2015-269 - Consideration of Assessments for Water Main District 414T - Starlite Subdivision Lots 1 & 2. This item was related to the aforementioned Public Hearing.

Motion by Donaldson, second by Fitzke to approve Resolution #2015-269. Upon roll call vote, all voted aye. Motion adopted.

#2015-270 - Consideration of Approving Agreement with the Clean Community System. City Attorney Robert Sivick reported that the 2015-2016 annual budget appropriated \$30,000 to the Grand Island Area Clean Community System. This agreement was needed to specify the obligations of each party and payment terms. Executive Director Denise McGovern-Gallagher presented a PowerPoint outlining the work of the Grand Island Area Clean Community System. Mentioned was that there was no glass collection in the City. Lincoln and Omaha were the only two areas that collected glass at this time.

Motion by Haase, second by Nickerson to approve Resolution #2015-270. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Hehnke to approve the Claims for the period of September 9, 2015 through September 22, 2015, for a total amount of \$7,101,763.90. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:50 p.m.

RaNae Edwards
City Clerk